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Ohio Collection,

1000

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THE STATE OF OHIO

# LEGISLATIVE ACTS

PASSED

AND

JOINT RESOLUTIONS

Adopted

BY THE

EIGHTY-FOURTH GENERAL ASSEMBLY

At Its Regular Session

WHICH BEGAN JANUARY 3, 1921.

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УДАЛИ ОБОЗНАЧ

# GENERAL LAWS

[House Bill No. 24.]

To make supplementary appropriations for the 84th General Assembly.

## AN ACT

*Be it enacted by the General Assembly of the State of Ohio:* Supplementary appropriations.

SECTION 1. The sums set forth in section 2 herein for the purposes specified, are hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund, not otherwise appropriated.

SECTION 2. The following sums shall be expended to pay liabilities incurred subsequent to January 1, 1921.

### HOUSE OF REPRESENTATIVES.

#### Personal Service—

##### A—1 Salaries—

Clerk ..... \$558 00

#### Wages—

##### A—2—

Deputy clerk ..... \$186 00  
Journal clerk ..... 775 00  
11 clerks ..... 2,640 00  
Stenographic clerk ..... 186 00  
11 Stenographers ..... 2,790 00  
10 Pages ..... 930 00  
4 Sergeants-at-Arms ..... 744 00  
1 Assistant postmaster ..... 186 00  
2 Telephone attendants ..... 372 00  
2 cloak room attendants ..... 372 00  
5 Doorkeepers ..... 1,016 00  
5 Committee room attendants ..... 930 00  
5 Porters ..... 930 00

F—1 Repairs ..... 200 00

### SENATE.

##### A—1 Salaries—

Clerk ..... \$558 00  
Assistant clerk ..... 186 00

##### A—2 Wages—

4 Clerks ..... 1,860 00  
Journal clerk ..... 775 00  
2 Clerks ..... 1,860 00  
Assistant bill clerk ..... 312 00  
Stenographic clerk ..... 516 00  
Sergeant-at-arms and 3 assistants... 1,364 00

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional numbers.  
JOHN G. PRICE,  
Attorney  
General.

10 Stenographers.....	2,550 00
7 Pages.....	2,055 00
6 Porters.....	2,880 00
1 Messenger.....	540 00
F-6—	
Mileage employees.....	600 00
F-1—	
Repairs .....	500 00

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed January 12, 1921.  
Approved January 19, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 19th day of January, A. D. 1921.

1 G.

[Amended Senate Bill No. 17.]

## AN ACT

To provide for the appointment of a commissioner of prohibition of Ohio and assistants to secure the enforcement of laws prohibiting the liquor traffic and to prescribe further duties and powers and fix their compensation and to repeal sections 6072, 6073 and 6074 of the General Code and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 6212-21.

Prohibition com-  
missioner: ap-  
pointment, term,  
oath, salary.

SECTION 1. An officer to be known as the commissioner of prohibition of Ohio shall be appointed as hereinafter provided, who shall be an elector of the state. The governor of Ohio upon assuming office shall appoint such commissioner by and with the consent of the Senate, and the terms of such commissioner shall coincide with that of the governor provided that the term of the commissioner first appointed hereunder shall begin on the day next following that on which this act shall take effect and continue until the second Monday of January, 1923. Such commissioner shall take the constitutional oath of office, and his salary shall be five thousand dollars per year, and he shall be allowed and paid his necessary expenses when on duty away from his office. He shall devote his entire time and attention to the duties of his office.

Removal, causes  
for; hearing.

The governor shall at any time have power to remove said commissioner for immoral conduct, inefficiency or neglect of duty, giving the commissioner a copy of the charges against him and an opportunity to be heard thereon. If such commissioner shall be removed the governor shall file in the office of the secretary of state a statement of all the

charges made against such commissioner and his findings thereon, and his decision thereon shall be final.

Sec. 6212-22.

SECTION 2. The commissioner of prohibition shall appoint, with the approval of the governor, one deputy commissioner who shall be an elector of the state and who shall have all the powers and perform all the duties of the commissioner during his absence or disability of the commissioner. Said deputy shall be under the direction and control of such commissioner and shall hold his office at the pleasure of said commissioner. Such deputy shall devote his entire time to the duties of the office, and shall receive an annual salary of thirty-six hundred dollars, and shall be allowed and paid his actual and necessary expenses when on duty away from the office.

Deputy commissioner: qualifications; appointment; salary, powers and duties.

The commissioner of prohibition shall have authority to appoint not to exceed twenty regular inspectors, who shall hold office at the pleasure of the commissioner, and who shall have the power and authority herein provided. They shall be under the control of said commissioner and shall exercise the powers herein provided, as directed by said commissioner. Each of said inspectors shall receive a salary of not less than fifteen hundred dollars, and not more than twenty-five hundred dollars per annum, as determined by the commissioner, and in addition be allowed and paid their actual and necessary expenses.

Appointment of inspectors; salary.

The commissioner may appoint such temporary inspectors as the emergency demands, who shall hold office at the pleasure of the commissioner and who shall have only the powers and authority delegated to them in their appointment and not inconsistent with this act. The number of such temporary inspectors shall not exceed that fixed by the governor. They shall be under the control of said commissioner and shall receive such compensation as may be fixed by him, not to exceed ten dollars per day when actually employed, and shall be allowed and paid their actual and necessary expenses.

Temporary inspectors authorized; duties.

They shall perform such duties as are assigned by the commissioner.

Commissioner and inspectors not in classified service.

Said commissioner, deputy and inspectors shall not be included in the classified civil service of the state.

Sec. 6212-23.

SECTION 3. The office of the commissioner shall be in the city of Columbus, and provisions shall be made by the commissioner for suitable office rooms, furniture, stationery and other facilities for transacting the business of the office, and such clerical and other assistance may be employed by the commissioner as the needs of the office demand.

Place of office; equipment; clerical assistance.

Sec. 6212-24.

SECTION 4. It shall be the duty of the commissioner, deputy and inspectors diligently to enforce laws of the state having to do with the prohibition of the liquor traffic, and exercise all powers herein conferred, provided, however, that nothing in this act contained shall in any manner relieve any local township, municipal, county or other state officer from responsibility for the enforcement of such laws.

Duties of officers; all other officers must enforce law.

Obstructing,  
hindering or in-  
terfering with  
officer a misde-  
meanor.

Any person who hinders, obstructs or interferes with the commissioner, his deputy and inspectors herein provided for, or with any other officer whose duty it is to enforce laws of this state relating to intoxicating liquor, in their efforts to enforce the same, or who fails to render aid to any such officers when lawfully called upon to do so, shall be guilty of a misdemeanor and on conviction shall be fined not less than twenty-five dollars, nor more than one hundred dollars, together with costs of prosecution. In default of the payment of such fine and costs, he shall be confined in the county jail until such fine and costs are paid or secured to be paid, or he is otherwise discharged according to law.

Sec. 6212-25.

Complaints and  
prosecutions, by  
whom made.

SECTION 5. Upon securing evidence of violation in any county of the laws relating to intoxicating liquor, said commissioner shall personally, or through his deputy or inspectors, make or cause to be made, complaints against violators, and institute such further proceedings as may be authorized by law, and in such cases no bond or security for costs shall be required. When the commissioner shall deem it expedient, he shall appear in person or by deputy, and supervise such prosecutions.

Sec. 6212-26.

Criminal process  
and papers:  
power to serve;  
fees.

SECTION 6. In cases arising under laws prohibiting the liquor traffic, said commissioner, deputy and inspectors shall have the same power to serve criminal and other process and papers as is now or may hereafter be conferred by law upon sheriffs, and shall have the same rights as sheriffs to require aid in executing such process. There shall be taxed in the several courts of the state for such commissioner, his deputy and inspectors, in the bill of costs in any case in which they perform any such service, the same fees as sheriffs are entitled to receive, which shall be paid promptly into the state treasury.

Sec. 6212-27.

Power to ad-  
minister oaths.  
Person giving  
testimony may  
be required to  
sign under oath,  
transcript; re-  
fusal a misde-  
meanor.

SECTION 7. The said commissioner, his deputy and inspectors shall each have authority to administer oaths and examine any person, or persons, whom they may know to have knowledge of any violations of laws relating to intoxicating liquor, wherever they may find such person. Any person or persons giving testimony to such commissioner, his deputy and inspectors, shall on written request of any of such officers sign under oath a transcript of such testimony, or a correct abstract thereof, and refusal to sign such transcript or abstract, or a refusal to answer any question or questions relating to violations or alleged or suspected violations of the law relating to intoxicating liquors, or a failure to obey any lawful process, shall be deemed a misdemeanor and such person on conviction thereof shall be punished by a fine of not to exceed one hundred dollars and costs of prosecution. Such witness or person so examined shall not be subject to prosecution for violation of the laws relating to intoxicating liquor as to any matter disclosed by his statement or testimony; nor shall such statement be used against him in any civil action, or criminal, quasi-criminal or statutory prosecution except in prosecutions for perjury.

Witness not lia-  
ble to prosecu-  
tion upon state-  
ments.



In the performance of the duties imposed upon them by law, the commissioner, his deputy and inspectors shall summon and compel the attendance of persons before them for examination, and may require the production of any book, paper, document or other thing under the control of such person. Subpoenas for such persons may be served by any of the officers mentioned herein, and upon request of any such officers, by the sheriff, constable or other police officer in the county where such person resides. Each person summoned for examination, as aforesaid, shall receive the same fees as witnesses before justices of the peace. Such sheriff, constable or other police officer for his services shall receive the same fees as provided by law for sheriffs for like services.

Powers to produce evidence; fees of officers and witnesses.

In the performance of the duties imposed upon them by law, the commissioner, deputy and inspectors, may at all reasonable hours enter into, or upon all the buildings, places or things, excepting such buildings, places or things or parts thereof as are used exclusively for bona fide private residence purposes; and no place shall be regarded as a bona fide private residence under the laws prohibiting the liquor traffic, wherein liquors are possessed which have been illegally manufactured or obtained.

Right of entry into or upon buildings, etc.

Provided that nothing in this act shall be construed to permit any person to enter or search, with or without a warrant, a bona fide private residence as herein defined; nor shall a search warrant issue to search any other premises not a bona fide private residence, except in accordance with the provisions of law, as found in sections 13482 to 13488, inclusive, of the General Code so far as same may apply.

Residence not subject to search; other premises.

Sec. 6212-28.

SECTION 8. Said commissioner, deputy and inspectors may arrest without a warrant any person found by them violating the laws relating to the liquor traffic, and take such person before any justice of the peace or other officer, or tribunal having jurisdiction in such proceeding, and take such other action as the law provides.

Arrest of person without warrant authorized, when.

Sec. 6212-29.

SECTION 9. The commissioner shall make an annual report to the governor on the first day of September of each year, a copy of which report shall be filed with the governor. The annual report shall be printed and published on or before the 1st day of January next thereafter. Said report shall cover the administration of the liquor laws for the preceding year, or part thereof, and shall among other things show the number of places inspected, number of specimens analyzed, the number of complaints filed against persons for violating the laws, the number of convictions had, the amount of fines imposed therefor, the amount of fines collected, and such other information as the commissioner deems valuable in securing the enforcement of the liquor prohibitory laws, together with such recommendations relative to the status thereof as his experience may justify.

Report to governor, annually; contents of report.

Sec. 6212-30.

SECTION 10. The inspectors appointed by said prohibition commissioner, in addition to any other duties, by personal visitation or otherwise, shall make investigations to

Report by inspectors of persons liable to \$1,000 tax; certification to auditor of state; record.

secure the name of all persons, firms, or corporations liable to the assessment of the one thousand dollar tax, as provided in section 6071 of the General Code, and report such names to the commissioner of prohibition, together with the name of the owner of the real estate and a description thereof, wherein the unlawful traffic was conducted. Whereupon said commissioner, upon the report and information submitted to him, shall determine and forthwith certify to the auditor of state the names of all persons, firms or corporations liable to such assessment, or increased assessment, together with a description of the real estate upon which such business is carried on. The state prohibition commissioner shall keep a record of all such cases so certified by him to the auditor of state.

Sec. 6212-31.

Entry upon assessment duplicate; collection; report to commissioner.

SECTION 11. Thereupon, the auditor of state shall cause all of such names to be entered upon the assessment duplicate of the proper county by the auditor thereof, together with a penalty of twenty per centum thereon, which shall be collected in like manner as other assessments. Upon request of the commissioner of prohibition, the auditor of state and the county treasurer shall forthwith make a report to said commissioner of their action upon all cases certified by him to the auditor of state until the tax and penalty thereon are paid into the county treasury.

Sec. 6212-32.

Correction of errors or remission of assessment, when.

SECTION 12. The auditor of state, with the consent and approval of the commissioner of prohibition, may correct any errors, or remit any such assessment or increased assessment, together with the penalty thereon if it is found to have been erroneously or illegally certified. Otherwise, there shall be no rebate or refund, but the full thousand dollar tax shall be assessed and collected, and such assessment shall not be proportioned even though the illegal traffic in liquors was commenced after the fourth Monday in May in any year.

Sec. 6212-33.

Assessment and penalty a lien; how and when payment made.

SECTION 13. Such assessment, with any penalty thereon, shall attach and operate as a lien upon the real property on and in which such business is conducted, as of the fourth Monday of May of each year, and shall be paid at the times provided for by the law for the payment of taxes on real or personal property within this state, to-wit: one-half on or before the twentieth day of June, and one-half on or before the twentieth day of December of each year; provided, however, that if the illegal traffic in liquor is commenced after the fourth Monday in May in any year, such assessment shall attach and operate as a lien as herein provided upon the date of such commencement, and provided if such traffic is commenced after the twentieth day of June of any year, then the full tax of one thousand dollars and any penalty thereon shall be paid on the twentieth day of December of the same year; and provided further that such assessment with any penalty thereon shall not attach or operate as a lien upon the real property aforesaid, if the business taxed and for which the assessment is paid, is con-

Business conducted without consent of owner, property not subject to lien.

ducted by a person, corporation or co-partnership without the knowledge or assent of the owner of said real property. Any person who traffics in intoxicating liquors as a beverage shall not be entitled to any rebate or refunder under the liquor tax law, except as provided in the preceding section. The payment of such tax shall give no right to engage in the traffic of intoxicating liquors, nor relieve any one from criminal liability.

Payment of tax confers no right to engage in traffic.

Sec. 6212-34.

SECTION 14. The governor shall have authority to remove any official for misfeasance, nonfeasance or malfeasance or wilful neglect, or failure, to enforce the laws relating to intoxicating liquors. The governor shall cause to be filed a complaint before him against such officer and fix the time for the hearing. Process to compel the attendance of witnesses shall be issued and served by the sheriff of the county in which such witness resides. The judgment of the governor upon the hearing provided herein shall be final. He shall file in the office of the secretary of state a statement of all the charges made against such officer and the result of his finding thereon.

Failure to enforce law cause for removal of officers: service of process.

Judgment of governor, final.

Sec. 6212-35.

SECTION 15. Said commissioner, his deputy and regular inspectors shall, before entering upon the duties of their office, subscribe to and file in the office of the secretary of state an oath of office, as prescribed by the constitution of this state. Said commissioner shall give bond in the sum of ten thousand dollars, said deputy in the sum of five thousand dollars, and each of said regular inspectors in the sum of two thousand dollars, payable to the state of Ohio conditioned upon the faithful performance of their duties. If the foregoing bonds are given by a surety company, the premium for the same shall be paid as other expenses of the office are paid. Each of said bonds shall be approved by the governor, and filed with the secretary of state. When on duty said commissioner, his deputy, and regular and temporary inspectors shall have the same authority to go armed as is extended to sheriffs by section 12819, General Code.

Oath of office filed with secretary of state; bond.

Sec. 6212-36.

SECTION 16. All salaries provided in this act and all expenses and fees incurred in carrying out its provisions shall be paid out of the general revenue fund of the state upon the proper voucher signed by the commissioner.

Salaries and expenses paid from general revenue fund.

Sec. 6212-37.

SECTION 17. The council of any city or village may, by ordinance, authorize the use of any part of the fines collected for the violation of any law prohibiting the manufacture and sale of intoxicating liquors, for the purpose of hiring attorneys, detectives, or secret service officers to secure the enforcement of such prohibition law. And such council are hereby authorized to appropriate not more than five hundred dollars annually from the general revenue fund, for the purpose of enforcing the law prohibiting the manufacture and sale of intoxicating liquors, when there are no funds available from the fines collected for the violation of such prohibitory law.

Part of fines may be used for enforcement; appropriation by council.

Sec. 6212-38.  
Part invalid  
shall not affect  
other parts.

Sec. 6212-39.  
Final jurisdic-  
tion.

Repeals.

Emergency act.

The sectional  
numbers on the  
margin hereof  
are designated  
as provided by  
law.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 18. If any provision of this act shall be held invalid, it shall not be construed to invalidate other provisions of the act.

SECTION 19. Any justice of the peace, mayor, municipal or police judge, probate or common pleas judge, shall have final jurisdiction within their respective counties of all misdemeanors arising in such counties under this act, or under laws relating to intoxicating liquors, or laws providing for the enforcement of such laws.

SECTION 20. Sections 6072, 6073 and 6074 of the General Code are hereby repealed.

SECTION 21. This act is hereby declared to be an emergency act, necessary for the immediate preservation of the public peace and safety. Such necessity exists because of the reason that flagrant violations of the law prohibiting the liquor traffic prevail in some parts of the state which is encouraging the commission of other crimes, all resulting in the loss of life and property to many citizens. It is therefore essential that the governor be immediately clothed with authority and power to at once initiate investigations and prosecutions necessary for the punishment of criminals, and the termination of lawlessness, and secure uniformity of enforcement of such prohibitory laws throughout the state.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed February 2, 1921.

Approved February 9, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 9th day of February, A. D. 1921.

2 G.

[House Bill No. 25.]

## AN ACT

To make specific appropriations for the expenses of the Ohio electoral college.

*Be it enacted by the General Assembly of the State of Ohio:*

Appropriations  
electoral college.

SECTION 1. The sums set forth in section 2 herein for the purposes therein specified, are hereby appropriated out of any monies in the state treasury not otherwise appropriated.

SECTION 2. The following sums shall not be expended to pay liabilities incurred subsequent to June 30, 1921.

## EXECUTIVE DEPARTMENT.

For the uses and purposes of the electoral college to be paid upon the presentation of itemized vouchers approved by the president and secretary of the electoral college.

## Personal Service—

## A 3. Unclassified—

Allowance to messenger.....	\$50 00
Stenographic help.....	25 00
Allowance to secretary.....	200 00
Allowance to sergeant-at-arms.....	100 00
Per diem of electors.....	216 00

## Maintenance—

## C Supplies—

## C 4. Office—

Printing .....	11 68
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## F Contract and Open Order Service—

## F 6. Transportation—

Mileage of electors.....	265 00
--------------------------	--------

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional numbers.  
JOHN G. PRICH,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 9, 1921.

Approved February 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of February, A. D. 1921.

3 G.

[Amended Senate Bill No. 25.]

## AN ACT

To amend section 10786 of the General Code relating to the sale of real estate in probate court.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 10786 of the General Code be amended to read as follows:

Sale of real estate to pay debts.

Sec. 10786. If the court is satisfied that it is necessary to sell real estate of the deceased to pay his debts, it shall order so much thereof as is necessary for their payment to be sold by the executor or administrator, for cash in hand, or upon deferred payment, not exceeding two years, with interest.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original section 10786 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed February 10, 1921.

Approved February 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of February, A. D. 1921.

4 G.

[Senate Bill No. 14.]

## AN ACT

To make the taxable fees in criminal cases before municipal courts, the same as those provided by law for justices of the peace, mayors and police courts.

*Be it enacted by the General Assembly of the State of Ohio:*

Fees of officers, municipal courts.

SECTION 1. In each municipality where a municipal court is provided by law, the following fees, and no more, shall be taxed as part of the costs and be included in the judgment in all criminal proceedings.

FOR THE CLERK: The same fees provided for justices of the peace under section 1746 General Code.

FOR THE BAILIFF: The same fees provided for constables under section 3347 General Code.

FOR WITNESSES: The same fees provided under section 3014 General Code, and to be paid and accounted for in the manner provided therein.

**FOR INTERPRETER:** The same fees provided in section 3014-1 General Code, and to be paid and accounted for in the manner provided therein.

**JURY FEES:** The same as provided in section 12375 General Code, and to be accounted for in the manner provided therein.

**SECTION 2.** That all sections or part of sections in the special acts establishing such municipal courts, now in force, which are in conflict herewith be and the same are hereby repealed. Repeals.

The sectional number on the margin hereof is designated as provided by law.  
**JOHN G. PRICE,**  
*Attorney General.*

**CLARENCE J. BROWN,**  
*President of the Senate.*  
**RUPERT BEETHAM,**

*Speaker of the House of Representatives.*

Passed February 8, 1921.

Approved February 17, 1921.

**HARRY L. DAVIS,**  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of February, A. D. 1921.

5 G.

[House Bill No. 88.]

## AN ACT

To amend section 7600 of the General Code, relating to the distribution of the state common school fund and the proceeds of the levy for school purposes, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

**SECTION 1.** Section 7600 of the General Code is hereby amended to read as follows:

**Sec. 7600.** After each semi-annual settlement with the county treasurer, each county auditor shall immediately apportion school funds for his county. The state common school fund shall be apportioned to each school district and part of district within the county on the basis of the number of teachers and other educational employes employed therein, and the expense of transporting pupils as shown by the reports required by law and the balance according to the ratio which the aggregate days of attendance of pupils in such districts bears to the aggregate days of attendance of pupils in the entire county. The annual distribution attributable to teachers and employes shall be according to the following schedule: twenty-five per centum of the salary of each teacher receiving a salary of not less than eight hundred dollars and a like percentage of the compensation paid to each person giving instruction in trade or technical schools, extension schools, night schools, summer schools and other special school activities, but not to exceed six hundred dollars for any such teacher or other person. That attributable to expense of transportation of pupils shall be thirty-seven and one-half per centum of the personal service expense incurred in such transportation.

Apportionment of school funds; state common school fund.

Annual distribution to teachers and employes.

Apportionment  
of levy retained  
in county.

When district  
entitled to re-  
ceive fund: dis-  
tribution to dis-  
tricts.

The proceeds of the levy required by section seven thousand five hundred and seventy-five to be retained in the county shall be apportioned to each school district and part of district on a like basis of teachers and other persons employed and aggregate days of attendance of pupils, excepting that the apportionment attributable to teachers and other employes shall be twelve and one-half per centum of the salaries of such teachers as are mentioned in this section, but not to exceed three hundred dollars for any such teacher. No school district shall be entitled to receive any portion of the said funds in any year until the reports of numbers, salaries and qualifications of teachers employed and aggregate days of attendance and expense of transportation of pupils have been made as required by law. The local school tax collected from the several districts or parts of districts in the county shall be paid to the districts from which it was collected. Money received from the state on account of interest on the common school fund shall be apportioned to the school districts and parts of districts within the territory designated by the auditor of state as entitled thereto on the basis of the total enrollment of pupils in each whole district entitled thereto, and the enrollment of pupils residing in parts of districts so entitled. All other money in the county treasury for the support of common schools and not otherwise appropriated by law, shall be apportioned annually in the same manner as the state common school fund.

SECTION 2. Said original section 7600 of the General Code is hereby repealed.

Emergency act.

SECTION 3. This act is hereby declared to be an emergency law necessary for the immediate preservation of the public peace, health and safety. The necessity therefor lies in the fact that it is impracticable to make distribution of the school funds upon the basis prescribed by present section 7600 of the General Code because of the complicated calculations required in many counties to effect such distribution; and unless a distribution of such common school funds is made at the time of the semi-annual settlement in the month of February, 1921, the schools of the state will be without funds for operation and maintenance. Therefore, this act shall go into immediate effect.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. FRICH,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 9, 1921.  
Approved February 18, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of February, A. D. 1921.



[Senate Bill No. 50.]

## AN ACT

To amend section 1231-5, to repeal sections 1231-6, 1231-7, 1231-8, 1231-9 and 1231-10 of the General Code and thus to abolish the highway advisory board, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1231-5 of the General Code be amended to read as follows:

Sec. 1231-5. Within ten days after the taking effect of this act the highway advisory board shall transfer all its records, books and papers to the office of the state highway commissioner, which act shall terminate the legal existence of said highway advisory board. Abolishment of highway advisory board.

SECTION 2. That original section 1231-5 and sections 1231-6, 1231-7, 1231-8, 1231-9 and 1231-10 of the General Code be, and the same are hereby repealed. Repeals.

SECTION 3. This bill is hereby declared to be an emergency bill. That its enactment into law is necessary for the preservation of the public peace, safety and health of the inhabitants of the state of Ohio, and that the provisions of the bill shall be enacted into law and become effective at the earliest possible time, and shall take effect and be in full force from and after its passage and approval by the governor. The necessity therefor lies in the fact that large sums of money are available for immediate use in highway improvement and the peace, safety and health of the public demand that the state highway commissioner be unhampered by the highway advisory board in providing improvements that are necessary to the peace, safety and health of the people of Ohio. Emergency act.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed February 8, 1921.

Approved February 18, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of February, A. D. 1921.

7 G.

[House Bill No. 46.]

## AN ACT

To amend section 2976-25 and to supplement section 2438 of the General Code by the enactment of a supplemental section 2438-1, relative to the signing of county bonds, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2976-25 of the General Code be amended and section 2438 be supplemented by a section to be known as section 2438-1, to read as follows:

Bonds must be recorded; where.

Sec. 2976-25. Before they become valid in the hands of any purchaser, all bonds issued by the county shall be recorded in the office of the trustees of the sinking fund, and shall bear a stamp containing the words "Recorded in the office of the sinking fund trustees" signed by the secretary. In case such secretary is unable to act by reason of absence or disability, such recording and authenticating shall be done by the county treasurer who shall sign such stamped certificate as "acting secretary."

Procedure when county auditor unable to sign bonds because of absence or disability.

Sec. 2438-1. Whenever, in the issuing of bonds by the board of commissioners of any county, the signature of the county auditor is necessary, either to such bonds or to any documents or certificate in connection therewith, and by reason of the absence or disability of such county auditor it is impossible to obtain his signature thereto, on application by the board of county commissioners to the common pleas court of such county, such court shall designate a deputy to such county auditor, or if there be no such deputy available, some other suitable person, to sign the name of such county auditor and if necessary, to affix his seal, to such bonds, documents or certificates, or any or all of them. In any such case such deputy or other person shall sign his own name beneath that of the county auditor and his signature shall be preceded by the words "Signed by" and followed by the words "Pursuant to order of the common pleas court of said county." All bonds, documents or certificates so signed shall have the same validity, force and effect as though signed personally by the county auditor.

Repeal.

SECTION 2. That said original section 2976-25 of the General Code be, and the same is hereby repealed.

Emergency act.

SECTION 3. This act is hereby declared to be an emergency act and necessary for the immediate preservation of the public peace, health and safety for the reason that in a certain county where the county auditor is incapacitated, bonds which have been authorized and sold at a premium cannot be delivered without the signature of the

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICH, Attorney General.

auditor and this situation is resulting in great confusion and financial loss to the county.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 10, 1921.  
Approved February 18, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of February, A. D. 1921.

8 G.

[House Bill No. 4.]

## AN ACT

To authorize the taxing authorities of municipal corporations to fund deficiencies in operating revenues for the year 1921, issue bonds and to levy taxes for such purposes and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. For the purposes of this act:

"Subdivision" means a municipal corporation.

"Taxing authorities" means the council or other legislative body of the municipal corporation.

"Deficiency" means the aggregate sum of the following:

1. The unfunded obligations of a subdivision created prior to and outstanding on February 1, 1921, and due on or before said date, or to become due thereafter during the then current fiscal year of the subdivision, for the payment of which sufficient funds are not in the treasury thereof on February 1, 1921, or estimated to come into such treasury thereafter during such fiscal year from taxes and other sources of revenue to the extent of the excess of such obligations over and above such funds on hand and estimated future receipts applicable to the payment thereof and not needed to pay the fixed charges against the appropriate funds and the current expenses payable therefrom for the remainder of such fiscal year.

2. The excess, if any, of the estimated aggregate fixed charges and current expenses of such subdivision for the remainder of such fiscal year over and above the revenues from taxes and other sources estimated to come into such treasury after February 1, 1921, and applicable to such fixed charges and current expenses.

"Fixed charges" include salaries, wages, payments on contracts for fixed or regular services, as for light, heat, power, water or gas, and charges by law made payable from any such treasury without action by the legislative author-

Authority to fund deficiencies for 1921.

Terms defined.

"Fixed charges" shall include what.

ities thereof, election expenses, and contributions to libraries, universities, hospitals and pension funds. It excludes funded debt service, expenditures for permanent improvements, and such ordinary expenses as are included within the scope of "current expenses" as hereinafter defined.

**"Fixed charges" defined.**

Said term "fixed charges" means expenses of the character indicated by the foregoing enumeration for the purposes provided, and, at rates and quantities not in excess of those provided by laws, ordinances, resolutions and contracts in force on February 1, 1921, by ordinances and resolutions of municipal corporations passed prior to such date and not effective thereon for want of due publication, or pending the expiration of a referendum period, and by laws passed after such date, or ordinances or resolutions adopted in compliance with such laws; it being the intention of this act that no increase in the fixed charges of any subdivision beyond those established on February 1, 1921, shall enter into a deficiency except as herein expressly provided.

**"Current expenses" defined.**

"Current expenses" include such items of expense as the repair and maintenance of streets and bridges, the repair and maintenance of public property, the purchase of supplies and equipment of a consumable character, other than such as are herein referred to as fixed charges, and salaries and wages incidental thereto. It excludes funded debt service, expenditures for permanent improvements, and such expenses as are included within the scope of "fixed charges" as hereinbefore defined.

The foregoing enumeration of expenses as fixed charges and current expenses, is descriptive, and not exclusive or definitive; and matters and things similar in nature to those mentioned under each heading and not expressly excluded from either, shall be included within the scope of said terms.

Provided, however, that the aggregate amount of such fixed charges and current expenses, on the basis of which the amount of a deficiency is determined under this act, shall not in the case of any subdivision exceed the amount expended by such subdivision for fixed charges and current expenses in the year 1920.

**Financial statement: contents.**

SECTION 2. The taxing authorities of a subdivision by resolution (which resolution shall go into immediate effect without publication, and without being subject to a referendum) may direct the accounting officer of the subdivision to make up a financial statement of such subdivision as of the first day of February, 1921. Such accounting officer shall immediately examine the records, books and accounts of his office, and shall make up and file such statement in the office of the clerk of the taxing authorities. Such statement shall contain:

1. The balance outstanding to the credit or debit of the several funds, except sinking funds, on the books of the subdivision on February 1, 1921.

2. A showing in detail of the outstanding unfunded indebtedness of the several funds, of such subdivision on

February 1, 1921, whether represented by certificates of indebtedness, accounts payable, or otherwise, with the dates of maturity thereof.

3. An estimate of the amount necessary to provide for the fixed charges and current expenses of the subdivision for the remainder of the then current fiscal year, including obligations for such fixed charges or current expenses incurred prior to February 1, 1921, and payable within the then current fiscal year.

4. The amount of taxes estimated to come into the treasury of such subdivision to the credit of such funds during the remainder of the then current fiscal year, and applicable to the purposes of such year.

5. An estimate of the amount which will be received by such subdivision during the remainder of the current fiscal year from sources of revenue other than taxation, and credited to such funds.

If such accounting officer find that a deficiency exists in such funds of the subdivision, he shall certify the amount thereof, together with the various funds affected, under oath, on such statement.

SECTION 3. Thereupon the taxing authorities, by resolution passed by an affirmative vote of two-thirds of all their members elected or appointed, shall determine whether or not such deficiency exists, and the amount thereof, which shall not be greater than that certified to it by the accounting officer, and may issue and sell bonds of the subdivision in the amount so determined for the purpose of funding the deficiency of the subdivision.

Sale of bonds,  
when.

Such resolution shall go into immediate effect without publication and without being subject to referendum.

SECTION 4. All bonds issued under the authority of this act shall be in denomination to be determined by the taxing authorities and shall run for a period not exceeding ten years. They shall be executed as are other bonds of the subdivision, shall express on their face the purpose for which they are issued, and shall bear interest at a rate not to exceed six per cent per annum, payable semi-annually and shall be sold for not less than par and accrued interest. Such provisions of sections 3922, 3923, 3924, 3926, 3927 and 1465-58 of the General Code as relate to the sale of bonds of the subdivision shall apply to the sale of such bonds.

Bonds, how ex-  
ecuted.

SECTION 5. For the payment of the interest on such bonds and to provide a sinking fund for their redemption at maturity the proper levying authorities of the subdivision shall annually levy a sufficient tax. All interest and sinking fund levies on account of bonds issued in accordance with this act shall be excluded from the operation of any and all limitations on tax rates imposed by any law now in force. Such bonds shall not be counted in ascertaining any of the limitations prescribed by law upon the creation of bonded indebtedness or the total amount of outstanding bonded indebtedness of such subdivision.

Sinking fund;  
tax levy for;  
exempt from tax  
limitation.

Proceeds, how  
credited.

SECTION 6. The proceeds of such bonds shall be credited to the proper funds of the subdivision in the several accounts in which deficiencies exist in accordance with the respective amounts of such deficiencies, shall then be deemed appropriated and made available for expenditure for the purpose with respect to which said deficiencies exist, and shall not be used for any other purpose.

Emergency act.

SECTION 7. This act is hereby declared to be an emergency law necessary for the immediate preservation of the public health, peace and safety of the state. The reasons therefor being that municipalities affected by this act will be unable, unless this act takes effect immediately, to carry on the fire, police, and health departments and other necessary activities of municipalities.

This act is not  
of a general and  
permanent na-  
ture, and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 15, 1921.

Approved, February 24, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 24th day of February, A. D. 1921.

9 G.

[Senate Bill No. 44.]

## AN ACT

Providing for the appointment of five additional district inspectors  
of mines, making the total number of such inspectors seventeen.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That repealed section 900 of the General  
Code be so re-enacted and amended as to read as follows:

Additional mine  
inspectors: ap-  
pointment.

Sec. 900. The Industrial Commission of Ohio shall ap-  
point, with the approval of the governor, and upon recom-  
mendation of the chief deputy of the division of mines and  
mining, five district inspectors of mines in addition to those  
now in such service, making in all the number of district  
inspectors of mines seventeen.

The sectional  
number on the  
margin hereof  
is in conformity  
to the General  
Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 16, 1921.

Approved February 28, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 1st day of March, A. D. 1921.

10 G.

[House Bill No. 52.]

## AN ACT

Authorizing the county commissioners of Hocking county to allow and order paid to James Petrie the sum of thirteen hundred ten dollars for work done in the matter of the improvement of the Logan-Bremen road.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the county commissioners of Hocking county, Ohio, are hereby authorized and empowered to allow and order paid to James Petrie of Logan, Ohio, a sum not to exceed thirteen hundred ten dollars, such payment to be in full for work done in the matter of the improvement of the Logan-Bremen road in Hocking county, Ohio, under contract with the county commissioners of said county, dated April 5th, 1919, which contract was subsequently declared invalid for irregularity in the proceedings of the board of county commissioners leading to the making of said contract. Upon such allowance by the commissioners, the auditor of said county of Hocking is hereby authorized and directed to draw his warrant on the treasurer of said county for the amount so allowed, and the treasurer of Hocking county is hereby authorized and directed to pay the same.

Authority to pay  
James Petrie.

The amount so allowed and ordered paid shall be charged to the road fund of said county, or any other fund, as the commissioners of said county may order.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

This act is not  
of a general and  
permanent na-  
ture, and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

Passed February 16, 1921.

Approved February 28, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 1st day of March, 1921.

11 L.

[House Bill No. 168.]

## AN ACT

To amend section 9932 of the General Code, relating to the borrowing of money and issuing of bonds by any institution devoted to the promotion of education.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 9932 of the General Code be amended to read as follows:

Sec. 9932. The board of trustees of such a college, university, academy, seminary, or other institution devoted to the promotion of education, in anticipation of donations to be received and collections to be made, for the purpose of

Temporary loans  
secured by  
mortgage, au-  
thorized.

constructing, enlarging or adding to college buildings or improvements, may borrow such sum of money, upon such terms and with such conditions and provisions as they determine to be necessary therefor, by temporary loans without mortgage or by the issue of bonds or notes and secure them by a mortgage upon the property on which such improvement is to be made, if the property is not held by them under some specific trust.

Repeal.

SECTION 2. That said original section 9932 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed February 23, 1921.

Approved March 14, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 14th day of March, A. D. 1921.

12 G.

[Amended Substitute Senate Bill No. 18.]

## AN ACT

To supplement section 934-1 of the General Code by the enactment of section 934-1a, providing a penalty for failing to comply with section 934-1 or violating the provisions thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 934-1 of the General Code be amended and supplemental section 934-1a be enacted, to read as follows:

Wash room shall be maintained.

Sec. 934-1. Every owner, operator, lessee or agent of a coal mine, where ten or more persons are employed, shall provide and keep in repair a wash room, convenient to the principal mine entrance, adequate for the accommodation of the employees, for the purpose of washing and changing their clothes when entering and returning from the mine. Such wash room shall be properly lighted and heated, supplied with warm and cold water and adequate and proper facilities for washing purposes.

Penalty for violation.

Sec. 934-1a. Whoever, being the owner, operator, lessee or agent of a coal mine where ten or more persons are employed, fails or neglects, after ninety days from the taking effect of this act, to comply with the provisions of section 934-1 of the General Code, or violates any of the provisions thereof, shall be fined not less than two hundred nor more than five hundred dollars.



The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original section 934-1 of the General Code be and the same is hereby repealed.

CLARENCE J. BROWN,  
President of the Senate.

RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed February 23, 1921.

Approved March 16, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of March, A. D. 1921.

13 G.

[House Bill No. 125.]

### AN ACT

To make supplementary appropriations for the remainder of the current fiscal year.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The sums set forth in sections 2 and 3 of this act, in the columns therein designated "Appropriations" are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations enumerated in such sections for department, boards, commissions, bureaus, institutions, and offices, for the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, insofar as such funds are subject by law to appropriation and expenditure for the purposes therein mentioned, and to the extent that the monies to the credit of such specific funds on the date of the passage of this act, or which may be credited thereto prior to June 30th, 1921, shall be sufficient to satisfy such appropriation.

Supplementary appropriations.

SECTION 2. The following sums shall not be expended to pay liabilities incurred subsequent to June 30th, 1921:

### OHIO BOARD OF ADMINISTRATION.

Maintenance—	Items	Appropriations
C Supplies—		
C 2. Forage .....	\$30,000	00
C 3. Fuel .....	334,000	00
C 4. Office .....	2,900	00
C 6. Cleaning .....	21,000	00
C 8. Educational ....	500	00
C 9. Agricultural ...	12,000	00
C 11. General plant...	25,000	00
Total .....	\$425,400	00

Supplementary  
appropriations.

## Maintenance—

Items Appropriations

## D Materials—

D 3. General plant... \$47,000 00

## E Equipment—Replacement—

E 1. Office ..... \$300 00

E 2. Household ..... 12,000 00

E 3. Surgical ..... 1,200 00

E 7. Wearing apparel 35,000 00

E 8. Educational ... 1,200 00

E 9. General plant... 3,000 00

Total ..... \$52,700 00

## OHIO BOARD OF ADMINISTRATION.

Appropriation balances February 21, 1921. (H. B. 584.)

## Maintenance—

## Additions and Betterments—

## G-2—

## OHIO STATE REFORMATORY.

Enlarging cell block  
and dining room. \$20,195 21

## INSTITUTION FOR FEEBLE MINDED.

Five cottages—300  
patients ..... \$69,949 27Six cottages—350  
patients ..... 63,866 07

## OHIO HOSPITAL FOR EPILEPTICS.

Dining room..... \$3,129 59

## JUVENILE RESEARCH.

Administration  
building ..... \$1,304 03

## INSTITUTION FOR FEEBLE MINDED.

## G-3—

Fire escapes..... \$640 00

Equipment for five  
cottages ..... 746 69

\$159,830 86

F Contract and Open Or-  
der Service—F 6. Traveling ex-  
pense ..... \$1,000 00

F 7. Communication. 1,800 00

F 9. General plant... 9,900 00

Total ..... \$12,700 00

Total maintenance..... \$650,630 86

# OHIO ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

Supplementary  
appropriations.

Personal Service—	Items	Appropriations
A 1. Salaries—		
Secretary .....		\$1,180 00

## AUDITOR OF STATE.

### Maintenance—

#### C Supplies—

C 4. Office .....	\$500 00
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#### F Contract and Open Or- der Service—

F 1. Repairs .....	\$50 00
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F 7. Communication.	100 00
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Total .....	\$150 00
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Total maintenance.....	\$650 00
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### Maintenance—

#### F Contract and Open Or- der Service—

F 8. Contingencies .....	\$5,000 00
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To expedite the preparation of the  
budget pending the passage of  
the reorganization program.

## BUREAU OF INSPECTION AND SUPERVISION OF PUBLIC OFFICES.

### Maintenance—

#### F Contract and Open Or- der Service—

F 8. Contingencies .....	\$300 00
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## BOARD OF STATE CHARITIES.

### Maintenance—

#### C Supplies—

C 1. Food .....	\$150 00
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C 4. Office .....	100 00
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Total .....	\$250 00
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#### F Contract and Open Or- der Service—

F 6. Traveling ex- pense .....	\$4,000 00
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F 7. Communication.	125 00
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Total .....	\$4,125 00
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1. Rotary .....	1,500 00
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Total maintenance.....	\$5,875 00
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Supplementary  
appropriations.

## EXECUTIVE DEPARTMENT.

Maintenance—	Items	Appropriations
E Equipment—Replacement—		
E 1. Office .....	\$500 00	
F Contract and Open Or- der Service—		
F 6. Traveling ex- pense .....	\$500 00	
F 7. Communication.	1,500 00	
F 8. Contingencies ..	5,000 00	
Total .....	\$7,000 00	
Total maintenance.....		\$7,500 00

## GOVERNOR'S MANSION.

E Equipment—Replacement—		
E 2. Household .....	\$2,000 00	
F Contract and Open Or- der Service—		
F 9. General plant...	5,500 00	
Total maintenance.....		\$7,500 00
Total .....		\$15,000 00

## GENERAL ASSEMBLY.

Maintenance—			
F Contract and Open Order der Service—			
F 6. Mileage—Senate Members—			
	Miles	Weeks	Amt.
William Agnew.....	138	26	\$71 76
Ross Ake.....	138	26	67 60
M. B. Archer.....	98	26	50 96
Carl V. Beebe.....	48	26	24 96
Wallace W. Bellew....	115	26	59 80
Thomas M. Berry.....	110	26	57 20
T. A. Busbey.....	38	26	19 76
Oliver J. Demuth.....	110	26	57 20
Fred L. Emmert.....	115	26	59 80
John E. Holden.....	83	26	43 16
Geo. W. Holl.....	100	26	52 00
James R. Hopley.....	63	26	32 76
Geo. D. Jones, Franklin .....	..	..	.....
Thos. W. Jones.....	133	26	69 16
George Kryder.....	151	26	78 52
Thomas W. Latham....	103	26	53 56
D. A. Liggitt.....	60	26	31 20
E. G. Lloyd.....	13	26	6 76
Edward N. Mettler....	123	26	63 96

	Miles	Weeks	Amt.	Supplementary appropriations.
Wm. M. Miller.....	55	26	28 60	
Thomas M. Norris.....	138	26	71 76	
Robert J. O'Brien.....	115	26	59 80	
Frank C. Parrett.....	40	26	20 80	
Chas. K. Patterson....	75	26	39 00	
H. J. Ritter.....	86	26	44 72	
Geo. J. Snyder.....	123	26	63 96	
Wm. E. Sparks.....	70	26	36 40	
J. N. Stone.....	142	26	73 84	
C. A. Wagner.....	138	26	71 76	
C. A. White.....	173	26	89 96	
F. E. Whittemore.....	133	26	69 16	
Howell Wright.....	138	26	71 76	
H. P. McCoy.....	185	8	29 60	
	3,342	..	\$1,671 24	

## F 6. Mileage—House Members—

Danl. Alban.....	104	26	\$54 08
Herbert S. Atkinson...	..	..	.....
Jos. S. Backowski.....	138	18	71 76
Frank E. Baker.....	90	26	32 40
Paul M. Banker.....	70	..	36 40
John E. Barnes.....	70	..	36 40
A. Lee Beaty.....	120	..	62 40
Rupert R. Beetham...	133	..	69 16
Stephen J. Benner....	78	..	40 56
D. W. Besaw.....	142	..	73 84
R. M. Billingslea.....	101	..	52 52
Simeon Bing.....	113	..	58 76
Edward H. Bishop....	132	..	68 64
Israel M. Blauser.....	25	..	13 00
Norman R. Bliss.....	138	..	71 76
D. Allen Bond.....	148	..	76 96
Horace Bonser.....	120	..	62 40
Otto W. Brach.....	123	..	63 96
Tom R. Brannon.....	138	..	71 76
Harry F. Brown.....	40	..	20 80
W. B. Bryson.....	60	..	31 20
Warren E. Burns.....	116	..	60 32
Harvey S. Cable.....	132	..	68 64
Harry M. Carpenter...	150	..	78 00
R. B. Carson.....	105	..	54 60
J. H. Chester.....	199	..	103 48
Milton Clark.....	96	..	49 92
Jasper L. Cochrun....	115	..	59 80
W. R. Comings.....	166	..	86 32
Horace W. Cookston..	55	..	28 00
J. C. Copeland.....	83	..	43 16
John Cowan.....	110	..	57 20
C. C. Crabbe.....	25	..	13 00
E. M. Crosser.....	173	..	89 96

Supplementary  
appropriations.

	Miles	Weeks	Amt.
Otis D. Davis.....	110	..	57 20
Frank Delehanty.....	138	18	49 68
E. E. Denune.....	4	26	2 08
Gustavus Dildine.....	124	..	64 48
Thos. J. Dodge.....	18	..	9 36
Edw. L. Donahay.....	180	..	93 60
C. M. Drury.....	144	..	74 88
Robert C. Dunn.....	113	..	58 76
Harry M. Dunspaugh..	180	..	93 60
B. J. Emery.....	140	..	72 80
Wm. E. Entemann....	123	..	63 96
Henry Evans.....	123	..	63 96
John S. Faris.....	98	..	50 96
Harry L. Federman...	120	..	62 40
J. E. Foster.....	70	..	36 40
Charles H. Fouts.....	86	..	44 72
C. H. Freeman.....	80	..	41 60
Jos. R. Gardner.....	120	..	62 40
C. M. Gordon, Brown..	167	..	86 84
J. H. T. Gordon, Logan	74	..	38 48
J. W. Gorrell.....	148	..	76 96
J. S. Graham, Licking.	40	..	20 80
Leonard Graham, Mus-			
kingum.....	77	..	40 04
James A. Green.....	180	..	93 60
G. F. Greve.....	138	..	71 76
H. H. Griswold.....	168	..	87 36
Irwin Halstead.....	65	..	33 80
Dow W. Harter.....	132	..	68 64
Albert Hastings.....	90	..	46 80
Henry Hatch.....	79	..	41 08
E. D. Helfrich.....	60	..	31 20
F. A. Hinchey.....	113	..	58 76
Clyde H. Hooley.....	54	..	28 08
Karl E. Hoover.....	150	..	78 00
E. J. Hopple.....	138	..	71 76
Fred Huber.....	106	..	55 12
Wm. L. Hughes.....	116	..	60 32
Minor K. Johnston...	75	..	39 00
A. E. Jones, Hamilton.	120	..	62 40
Herbert L. Jones,			
Trumbull.....	185	..	96 20
Charles Kay.....	45	..	23 40
John J. Kilbane.....	138	..	71 76
C. W. King.....	65	..	33 80
Chas. F. Kreider.....	45	..	23 40
Elza Lawyer.....	101	..	52 52
J. W. Lentz.....	136	..	70 72
Geo. Lonz.....	130	..	67 60
Julius Luchsinger....	120	..	62 40
Joseph Lustig.....	138	..	71 76
Frank L. Lytle.....	148	..	76 96
C. F. McCoy.....	173	..	89 96

	Miles	Weeks	Amt.	Supplementary appropriations.
Clifford W. McFarland	48	..	24 96	
Harry McKay.....	60	..	31 20	
Horace B. Madden....	....	..	.....	
Geo. E. Matthews.....	100	..	52 00	
C. K. Miller, Fulton...	184	..	95 68	
J. S. Miller, Stark.....	146	..	75 92	
John B. Morris.....	120	..	62 40	
Harry Moyer.....	148	..	76 96	
Thomas Mulcahy.....	143	..	74 36	
George S. Myers.....	138	..	71 76	
L. A. Pearson.....	88	..	45 76	
Robt. B. Pugh.....	123	..	63 96	
Jas. A. Reynolds.....	138	..	71 76	
Tom Reynolds.....	138	..	71 76	
Huston T. Robins.....	50	..	26 00	
Frank S. Robinson....	101	..	52 52	
W. A. Russell.....	131	..	68 12	
George Schelhorn.....	103	..	53 56	
David H. Scott.....	120	..	62 40	
Herman Shy.....	80	..	41 60	
Harry D. Silver.....	94	..	48 88	
John C. Smith.....	138	..	71 76	
Sylvester Spidel.....	70	..	36 40	
W. W. Stokes.....	70	..	36 40	
A. L. Stump.....	18	..	9 36	
Roy L. Swedersky.....	114	..	59 28	
C. F. Talley.....	15	..	7 80	
C. Gilbert Taylor.....	109	..	56 68	
Francis M. Thompson..	....	..	.....	
M. J. Walsh.....	152	..	79 04	
Frank L. Waterston...	182	..	94 64	
Charles G. Weaver....	45	..	23 40	
W. E. Wenner.....	209	..	108 68	
George Wiest.....	100	..	52 00	
F. M. Wildermuth.....	87	..	45 24	
Edward A. Winter....	120	..	62 40	
Frank C. Wise.....	136	..	70 72	
George S. York.....	95	..	49 40	
Carl R. Kimball.....	180	..	93 60	
	13,386	..	\$6,924 24	

## F 9. General Plant—

Expense legislative joint committees. \$6,000 00

## INDUSTRIAL COMMISSION OF OHIO.

## Personal Service—

Items Appropriations

## A 3. Unclassified—

Local and special medical examinations ..... \$1,500 00

Supplementary appropriations.	Maintenance—	Items	Appropriations
	F Contract and Open Or- der Service—		
	F 6. Traveling ex- pense .....	\$30,000 00	
	F 7. Communication.	2,200 00	
	Total .....	\$32,200 00	
	H 7. Insurance—		
	To be credited to state insurance fund according to provisions of section 1464-5 of the General Code .....	\$39,468 00	
	Total maintenance.....		\$71,668 00
	Total .....		\$73,168 00

## DEPARTMENT OF PUBLIC INSTRUCTION.

	Maintenance—		
	F Contract and Open Or- der Service—		
	F 9. General Plant—		
	All monies appropriated by the U. S. government for indus- trial rehabilitation and.....	\$19,507 28	
	Maintenance—		
	H 8. Contribution .....	\$500,000 00	
	State aid for weak school districts as per section 7582 of H. B. No. 615, (O. L. 108 pt. 2, page 1303).		

## INSURANCE DEPARTMENT.

	Maintenance—		
	F Contract and Open Or- der Service—		
	F 1. Repairs .....	\$40 00	
	F 7. Communication.	270 00	
	Total .....	\$310 00	
	H Fixed Charges and Con- tributions—		
	H 6. Rent .....	\$40 00	
	Total maintenance.....		\$350 00



## SUPREME COURT AND LAW LIBRARY.

Supplementary  
appropriations.

Maintenance—	Items	Appropriations
E Equipment—Replacement—		
E 9. General plant.....		\$350 00

## STATE MEDICAL BOARD.

Maintenance—		
C Supplies—		
C 4. Office .....	\$260 00	
F Contract and Open Order Service—		
F 5. Express, freight and drayage.....	\$40 00	
F 7. Communication.	30 00	
Total .....	\$70 00	
H Fixed Charges and Contributions—		
H 6. Rent .....	\$70 00	
Total maintenance.....		\$400 00

## MISCELLANEOUS.

## AMERICANIZATION COMMITTEE.

Maintenance—		
F Contract and Open Order Service—		
F 9. General plant.....		\$5,000 00

## EMERGENCY BOARD.

Maintenance—		
F Contract and Open Order Service—		
F 8. Contingencies .....		\$150,000 00

## IRREDUCIBLE DEBT.

Maintenance—		
H Fixed Charges and Contributions—		
H 8. Contributions .....		\$112,671 73

## THIRTY-SEVENTH DIVISION HISTORY.

Maintenance—		
C Supplies—		
C 4. Office .....	\$900 00	
F Contract and Open Order Service—		
F 6. Traveling expense .....	\$1,000 00	
F 9. General plant...	1,600 00	
Total .....	\$2,600 00	
Total maintenance.....		\$3,500 00

Supplementary appropriations.	Miscellaneous—	Items	Appropriations
	F 8. Contingencies .....		\$5,000 00
	To defray expenses incurred by adjutant general's department at inauguration of Governor Davis.		

## STATE BINDERY.

## Personal Service—

A 1. Salaries—	
18 Book binders.....	\$2,730 00

## Maintenance—

F Contract and Open Order Service—		
F 4. Light, heat and power .....	\$160 00	
F 5. Express, freight and drayage.....	155 00	
F 7. Communication.	25 00	
F 9. General plant...	160 00	
Total .....	\$500 00	
Total maintenance.....		500 00
Total .....		\$3,230 00

## PROHIBITION COMMISSIONER.

## Personal Service—

A 1. Salaries—	
Commissioner .....	\$2,083 30
Assistant commissioner	1,500 00
Executive clerk.....	1,041 66
2 Grade I stenographers.	1,150 00
12 Inspectors.....	12,500 00
Total .....	\$18,274 96
A 2. Wages—	
Special inspectors.....	\$2,085 00
A 3. Unclassified .....	2,000 00
Total personal service.....	\$22,359 96

## Maintenance—

C Supplies—	
C 4. Office .....	\$417 00
C 6. Cleaning .....	85 00
C 11. General plant...	85 00
Total .....	\$587 00
E Equipment—	
E 1. Office .....	\$85 00

Maintenance—	Items	Appropriations	Supplementary appropriations.
F Contract and Open Order Service—			
F 6. Traveling expenses .....	\$12,500 00		
F 7. Communication.	209 00		
F 9. General plant...	417 00		
Total .....	\$13,126 00		
Total maintenance.....		\$13,798 00	
Total .....		\$36,157 96	

## SECURITIES DEPARTMENT.

Maintenance—			
C Supplies—			
C 4. Office .....	\$600 00		
F Contract and Open Order Service—			
F 6. Transportation .	\$3,000 00		
F 7. Communication.	75 00		
F 9. General plant...	25 00		
Total .....	\$3,100 00		
H Fixed Charges and Contributions—			
H 6. Rent .....	\$315 00		
H 8. Contributions..	50 00		
Total .....	\$365 00		
Total maintenance.....		\$4,065 00	

## OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME.

Personal Service—		
A 1. Salaries—		
Minor officers.....	\$4,000 00	

Maintenance—		
C Supplies—		
C 1. Food .....	\$20,000 00	
C 2. Forage .....	1,500 00	
C 3. Fuel .....	10,000 00	
C 6. Cleaning .....	2,000 00	
C 8. Educational ...	300 00	
C 11. General plant...	1,500 00	
Total .....	\$35,300 00	

Supplementary  
appropriations.

## Maintenance—

Items Appropriations

D	Materials—		
D	2. Building .....	\$2,000 00	
D	3. General plant...	3,000 00	
	Total .....	\$5,000 00	
F	Contract and Open Or- der Service—		
F	5. Express, freight and drayage.....	\$500 00	
F	8. Contingencies..	1,102 86	
	State's apportion- ment, for pay- ment into state teachers' retire- ment fund.		
F	9. General plant..	1,200 00	
	Total .....	\$1,700 00	
	Total maintenance.....		\$42,000 00
	Total .....		\$47,102 86

## DEPARTMENT OF PUBLIC WORKS.

## Maintenance—

C	Supplies—		
C	3. Fuel .....	\$1,000 00	
C	11. General plant..	100 00	
	Total .....	\$1,100 00	
E	Equipment—Replacement—		
E	9. General plant..	\$200 00	
F	Contract and Open Or- der Service—		
F	6. Traveling ex- pense .....	\$300 00	
	Total maintenance.....		\$1,600 00

## KENT STATE NORMAL SCHOOL.

## Maintenance—

F	Contract and Open Or- der Service—		
F	3. Water .....	\$1,533 74	
F	4. Light, heat and power .....	825 67	
F	6. Traveling ex- pense .....	125 00	
F	7. Communication.	77 93	
F	9. General plant..	810 00	
	Total .....		\$3,372 34

## MIAMI UNIVERSITY.

Supplementary  
appropriations.

Maintenance—	Items	Appropriations
C Supplies—		
C 3. Fuel .....	\$4,106	00

## OHIO UNIVERSITY.

Maintenance—		
C Supplies—		
C 3. Fuel .....	\$7,000	00

## OHIO STATE UNIVERSITY.

Personal Service—		
A 2. Wages .....	\$7,500	00

Maintenance—		
C Supplies—		
C 1. Food .....	\$500	00
C 3. Fuel .....	71,500	00
C 4. Office .....	3,500	00
C 6. Cleaning .....	500	00
C 8. Educational ...	10,000	00
C 11. General plant...	2,500	00
Total .....	\$88,500	00

D Materials—		
D 2. Building .....	\$2,000	00
D 3. General plant..	5,000	00
Total .....	\$7,000	00

E Equipment—Replacement—		
E 1. Office .....	\$1,000	00
E 9. General plant..	1,500	00
Total .....	\$2,500	00

F Contract and Opern Or- der Service—		
F 1. Repairs .....	\$6,500	00
F 3. Water .....	5,000	00
F 4. Light, heat and power .....	500	00
F 5. Express, freight and drayage.....	1,000	00
F 6. Traveling ex- pense .....	1,000	00
F 7. Communication.	500	00
F 9. General plant...	5,000	00
Total .....	\$19,500	00

Supplementary  
appropriations.

## Maintenance—

Items Appropriations

## H Fixed Charges and Contributions—

H 6. Rent .....	500 00	
Total .....		\$118,000 00
		<hr/>
Total .....		\$125,500 00

## COMBINED NORMAL AND INDUSTRIAL DEPARTMENT OF WILBERFORCE UNIVERSITY.

## Personal Service—

A 2. Wages .....		\$200 00
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## Maintenance—

## C. Supplies—

C 3. Fuel .....		\$3,000 00
		<hr/>
Total .....		\$3,200 00

SECTION 3. The following sums shall not be expended to pay liabilities incurred subsequent to June 30, 1921:

## OHIO ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

## G Additions and Betterments—

## G 3. Miscellaneous—

## G 31. Capital Equipment—

Filing cabinet.....	500 00
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## GENERAL ASSEMBLY.

C 11. General plant.....	\$4,000 00
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## G Additions and Betterments—

## G 3. Miscellaneous—

## G 31. Capital Equipment—

Furniture and fixtures for press room.....	\$750 00
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## PROHIBITION COMMISSIONER.

## G Additions and Betterments—

## G 3. Miscellaneous—

## G 31. Capital Equipment—

Office equipment.....	\$1,000 00
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SECTION 4. Sections 4, 6, 7, 8, 9 and 11, of a law entitled "An act to make general appropriations" (108 O. L. page 733) passed by the 83rd General Assembly and filed in the office of the secretary of State June 30, 1919, shall ap-

ply to and govern the appropriations made herein with the same force and effect as to the appropriations made to said original act hereinbefore cited. Supplementary appropriations.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 10, 1921.  
Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of March, A. D. 1921.

14 G.

[House Bill No. 67.]

## AN ACT

To amend sections 3966 and 3967 of the General Code, relative to supplying water and electricity to territory adjacent to municipalities.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3966 and 3967 of the General Code be amended to read as follows:

Sec. 3966. (Extensions of water and electric light and power service beyond corporate limits.) On the written request of any number of citizens living outside of the limits of a municipal corporation, the corporation may extend, construct, lay down and maintain aqueduct and water pipes and electric light and power lines to any distance outside the corporate limits not to exceed five miles, and for such purpose may make use of such of the public streets, roads, alleys and public grounds as may be necessary therefor. Extension beyond corporate limits.

Sec. 3967. (Expense of service beyond corporate limits.) When a person or persons at his or their expense have laid down and extended mains and water pipes or electric light and power lines beyond the limits of a municipal corporation, and the corporation by resolution of the council, has authorized the proper officer of the water works to superintend or supervise the laying and extension of such mains and water pipes or electric light and power lines the corporation shall furnish water or electricity to the residents and property holders on the line of such mains and water pipes or electric light and power lines subject to the same rules and regulations that it furnishes water or electricity to its own citizens, except that the rates charged Expense of service.

therefor shall not exceed those within the corporation by more than one-tenth thereof.

SECTION 2. That original sections 3966 and 3967 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed February 24, 1921.

Approved March 17, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of March, A. D. 1921.

15 G.

The sectional numbers in the margin hereof are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

[House Bill No. 42.]

## AN ACT

To amend section 5243 of the General Code as amended April 2, 1919, relating to the use and occupancy of armories and extending such use and occupancy to Women's Relief Corps, Auxiliary United Spanish War Veterans and Veterans of Foreign Wars of the United States.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 5243 of the General Code as amended April 2, 1919, be amended to read as follows:

Extending use and occupancy of, to certain women's organizations.

Sec. 5243. The armories erected, constructed, owned or leased by virtue of this chapter, shall be for the use and benefit of the permanent organized militia quartered therein; but in each of such armories there shall at all times be provided and maintained a suitable room or rooms including heating, lighting and janitor service, for the free use and occupancy of the organizations known as the Grand Army of the Republic, Women's Relief Corps, Sons of Veterans, Sons of Veterans' Auxiliary, Daughters of Veterans, United Spanish War Veterans, Auxiliary United Spanish War Veterans, Veterans of Foreign Wars of the United States, Veterans of the World War of 1917 and 1918, Union Veteran Legion, Army and Navy Union of the United States of America and honorably retired officers of the Ohio National Guard, unless such room or rooms are already provided by the erection of a county memorial building or otherwise by the state, or by a county, township or municipality. Provided that this section shall not be construed to require a separate room to be maintained for each organization.



The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That said original section 5243 of the General Code as amended April 2, 1919, be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 9, 1921.

Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of March, A. D. 1921.

16 G.

[House Bill No. 62.]

## AN ACT

To amend section 6351 of the General Code relative to exempting honorably discharged soldiers or sailors of the United States who participated in the world war, from payment of the full fee for a traveling merchant's license.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 6351 of the General Code be amended to read as follows:

Sec. 6351. An applicant for the license, provided in section sixty-three hundred and forty-seven, proving to the auditor to whom such application is made that he has served as a soldier or sailor in the service of the United States during the late rebellion, the Spanish-American war, or the world war and has been honorably discharged therefrom, shall pay to such auditor as his fee for such license the sum of fifty cents, and shall not be required to make any other or further payment. He shall be exempted from paying any fee for a municipal or other license, as required by law or ordinance, during the period covered by the license issued to him by such auditor.

Who exempted  
from payment of  
full fee.

SECTION 2. That original section 6351 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 8, 1921.

Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of March, A. D. 1921.

17 G.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

[House Bill No. 92.]

## AN ACT

To amend sections 9150 and 9151 of the General Code relative to authorizing the governor to issue commissions for special policemen and providing for payment of fees.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 9150 and 9151 of the General Code be amended to read as follows:

Commissions for special policemen; fee required.

Sec. 9150. Upon the application of any bank or building and loan association, or of a company owning or using a railroad, street railroad, suburban or interurban railroad in this state, the governor may appoint and commission such persons as the bank, building and loan association or railroad company designates or as many thereof as he may deem proper, to act as policemen for and on the premises of such bank, building and loan association or railroad, or elsewhere, when directly in the discharge of their duties. Policemen so appointed shall be citizens of this state and men of good character. They shall hold office for three years, unless for good cause shown, their commission is revoked by the governor, or by the bank, building and loan association or railroad company, as provided by law. Not more than one such policemen shall be appointed for each five miles of a street, suburban or interurban railroad. A fee of five dollars for each commission, shall be paid at the time the application is made, and this amount shall be returned if for any reason a commission is not issued.

Oath of office; certified copy filed with clerk of courts; powers; liabilities.

Sec. 9151. Before entering upon the duties of his office, each policeman so appointed shall take and subscribe an oath of office, which shall be endorsed on his commission. A certified copy of such commission shall be issued by the governor upon the payment of a fee of fifty cents for each copy so furnished, and, with the oath, shall be recorded in the office of the clerk of the common pleas court in the county in which such bank or building and loan association is located and in each county through or into which the railroad runs for which such policeman is appointed, and intended to act. Policemen so appointed and commissioned severally shall possess and exercise the powers, and be subject to the liabilities of policemen of cities in the several counties in which they are authorized to act while discharging the duties for which they are appointed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original sections 9150 and 9151 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 23, 1921.  
Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of March, A. D. 1921.

18 G.

[House Bill No. 11.]

## AN ACT

To amend section 3203-13 of the General Code, relative to certain reservations in the sale of school and ministerial lands.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3203-13 of the General Code be amended to read as follows:

Sec. 3203-13. Each conveyance of the fee simple title, except when such school or ministerial lands are located within the corporate limits of a city, shall contain reservations of all oil, gas, coal and other minerals, and, where the land abuts upon a flowing stream, or such a stream flows through such land, the enjoyment of such stream for fishing and fowling and the right of egress and ingress over such land to and from such stream when the same is or may become necessary for such enjoyment and to all rights and easements granted or hereafter granted under the provisions of law providing for the leasing of such lands for gas, oil, coal, iron and other minerals.

Reservations in conveyance.

SECTION 2. That said original section 3203-13 be and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 23, 1921.  
Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of March, A. D. 1921.

19 G.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

[House Bill No. 58.]

## AN ACT

To amend sections 1602 and 1982 of the General Code as amended  
(Vol. 108, Part 2, Ohio Laws, pages 1214 and 1220, respectively)  
relating to fees and costs in probate court.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1602 and 1982 of the General Code be amended to read as follows:

Schedule of fees.

Sec. 1602. The fees enumerated in this section shall be paid to the probate judge out of the county treasury upon the warrant of the county auditor which shall issue upon the certificate of the probate judge and shall be in full for all services rendered in the respective proceedings; for each inquest of lunacy when the person is committed to a state hospital or to relatives, eight dollars; when the person is discharged, five dollars; for order of return of an insane person to a state hospital or removal therefrom, one dollar; for each inquest of epilepsy when a person is committed, eight dollars; when an application is not granted, five dollars; for order of return of an epileptic insane person to a state hospital or removal therefrom, one dollar; for proceedings for committing a person to the institution for feeble minded, eight dollars; for proceedings for sending or committing a person to the state school for the deaf or blind, five dollars; for proceedings against a juvenile disorderly person under the provision of section 7774, when commitment is made, five dollars; when child is discharged or judgment suspended, three dollars; for holding an examining court under section 13531, when defendant is held to be insane or idiotic, eight dollars; for proceedings on habeas corpus when a person is confined under color of proceedings in a criminal case and is discharged, five dollars; when acting as a judge of the juvenile court, for each case filed against a delinquent, dependent or neglected child, two dollars and fifty cents; for proceedings to take a child from parents or other person, having control thereof, two dollars and fifty cents.

Fees and expenses paid from county treasury.

Sec. 1982. The fees and expenses enumerated in the preceding section, together with all costs in the probate court, shall be paid from the county treasury upon the certificates of the probate judge.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

SECTION 2. The said original sections 1602 and 1982 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed February 23, 1921.

Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of March, A. D. 1921.

20 G.

[House Bill No. 3.]

## AN ACT

To amend section 1398 of the General Code, relative to taking of fur-bearing animals.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1398 of the General Code be amended to read as follows:

Sec. 1398. FUR-BEARING ANIMALS. (a) Open season. Skunk, fox and opossum may be taken and possessed only from the fifteenth day of November to the first day of February, and raccoon, from the first day of November until the first day of February, both inclusive; mink and muskrat only from the fifteenth day of November to the first day of March, both inclusive. Nothing in this section shall be construed as prohibiting a person from pursuing and killing, at any time, except on Sunday, fur-bearing animals which are injuring his property, or which have become a nuisance, or prohibit the owner of a farm or enclosure used exclusively for the breeding and raising of raccoon, skunk, mink, fox, muskrat or opossum therein, from taking or killing such animals, or any of them at any time.

Fur-bearing animals; open season for taking.

(b). Possession. The hide, skin or pelt of a fur-bearing animal, legally taken may, except as herein otherwise provided, be possessed, sold and transported in any number at any time. In the case, however, of a fur-bearing animal killed because of injury done by it to property, or killed because it has become a nuisance, the hide, skin or pelt of such animal shall be left on the carcass and not removed therefrom. The possession of a hide, skin or pelt of a fox, raccoon, muskrat, skunk, mink or opossum during the closed season shall be prima facie evidence that the same was illegally taken unless such person can show by the original invoice signed by the shipper, that such hide, skin or pelt was shipped from without the state, or furnish satisfactory proof that it was otherwise legally taken.

Possession legal and illegal.

Manner of  
taking.

(c). Manner of taking. No person shall at any time dig out or attempt to dig out, drown out or attempt to drown out, smoke out with fumes or gases, or attempt to smoke out with fumes or gases, any animal protected by this act, or in any manner destroy the house, den or burrow of any such animal. Each raccoon, muskrat, skunk, mink and opossum, and each hide, skin or pelt of any such animal taken or had in possession contrary to the provisions of this section, shall constitute a separate offense.

Form of aff-  
davit.

(d). Affidavit. An affidavit charging the possession of the hide, skin or pelt of a fur-bearing animal contrary to the provision of this section shall be sufficiently definite if it is in substantially the following form:

"State of Ohio

County, ss.

Before me, A. B., personally came C. C., who being duly sworn according to law, deposes and says that on or about the day of ....., at the county of ....., one E. F. did unlawfully have in possession the hide, skin or pelt of a certain fur-bearing animal, to-wit, a ....., contrary to the statute in such case made and provided and against the peace and dignity of the state of Ohio.

C. D.

Sworn to and subscribed before me, this.....  
day of .....

A. B.

Justice of the Peace.

The sectional  
number in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That said original section 1398 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed February 24, 1921.

Approved March 17, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of March, A. D. 1921.

21 G.

[House Bill No. 28.]

## AN ACT

Defining and providing penalty for felonious assault upon a female child under the age of fourteen years.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 12423-1. Whoever, being a male person over the age of eighteen years shall assault a female child under the age of fourteen years, and shall wilfully take indecent and improper liberties with the person of such child, without committing or intending to commit the crime of rape upon such child, or wilfully make improper exposures of his person in the presence of such child, shall be deemed guilty of felonious assault, and on conviction thereof shall be fined not more than one thousand dollars, or imprisoned in the penitentiary not more than ten years, or both such fine and imprisonment, in the discretion of the court.

Assault upon female child under fourteen years; penalty.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 8, 1921.

Approved March 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of March, A. D. 1921.

22 G.

[House Bill No. 30.]

## AN ACT

To amend sections 1177-4 and 1177-8 of the General Code, relative to the purchase of supplies, materials, and permanent improvements on agricultural experimental farms.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1177-4 and 1177-8 of the General Code be amended to read as follows:

Sec. 1177-4. The equipment of an experiment farm shall consist of such buildings, drains, fences, implements, live stock, stock feed and teams as shall be deemed necessary by the board of control at any time for the successful work of such farm, and the initial equipment shall be provided by the county in which the farm is established, together with a sufficient fund to pay the wages of the laborers required to conduct the work of such farm during the first season. The county commissioners shall appropriate for the payment of the wages of laborers employed in the management of such farms as may be established under this act,

Purchase of equipment; appropriations by county commissioners.

and for the purchase of supplies, materials, implements, live stock, stock feed and teams, and for the construction of buildings, drains and fences, necessary to the proper conduct of such farms, such sums not exceeding two thousand dollars annually for any farm, as may be agreed upon between such county commissioners and the board of control.

Sale of surplus produce; application of proceeds.

,Sec. 1177-8. The produce of each county experiment farm as may be established under this act, over and above that required for the support of the teams and live stock kept on the farm, shall be sold and the proceeds applied to the payment of the labor and to the purchase of the supplies, materials, implements, live stock, stock feed and teams, and to the construction of buildings, drains and fences required for the proper management of the farm as contemplated by this act, and for the maintenance of its equipment. Any surplus beyond these requirements shall be covered into the county treasury and placed to the credit of the general fund of the county, except in the case of the use of farms already belonging to the county, in which case the proceeds shall be placed to the credit of such fund as the county commissioners may designate.

Repeals.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

SECTION 2. That original sections 1177-4 and 1177-8 of the General Code be, and are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 8, 1921.

Approved March 22, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 22nd day of March, A. D. 1921.

23 G.



[House Bill No. 132.]

## AN ACT

To amend section 1465-58a of the General Code, relative to printing or lithographing bonds purchased by the industrial commission.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1465-58a of the General Code be amended to read as follows:

Sec. 1465-58a. All bonds of any taxing district of Ohio purchased by the industrial commission of Ohio shall be printed or lithographed upon paper of the size and the interest coupons shall be attached thereto in the manner required by the industrial commission. The principal and interest of such bonds shall be payable at the office of the treasurer of the state of Ohio. Such bonds shall be of the denomination required by the industrial commission in its resolution to purchase, or the industrial commission may in its resolution to purchase require that all bonds of any series of bonds purchased by it from any taxing district of Ohio shall be consolidated and issued as one bond, the principal amount of which shall be equal to the aggregate amount of all the bonds of said series, which principal together with the interest thereon, shall be payable in installments evidenced by and payable upon the surrender of combined principal and interest coupons attached thereto, which coupons shall each separately state the amounts of principal and interest included therein. The proper officers of each taxing district issuing such bonds are hereby authorized and required without additional procedure or legislation on their part to comply with the provisions of this act, except that the proper accounting officer of such taxing district and the secretary of its sinking fund shall make and keep a detailed record of any such changes required by the industrial commission. Provided, however, that the industrial commission shall not be authorized to change the date of maturity of any part of the principal or interest of any bond issue, nor shall it require a bond of any issue to be a larger denomination, nor any partial payment of principal to be of greater amount than the aggregate amount of such issue falling due at any date.

Printing or  
lithographing of  
bonds.

Denomination of  
bonds.

Taxing authori-  
ties empowered  
to comply with  
act.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICH,  
Attorney  
General.

SECTION 2. That original section 1465-58a of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed March 10, 1921.

Approved March 22, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 22nd day of March, A. D. 1921.

24 G.

[House Bill No. 116.]

## AN ACT

To amend section 1695 of the General Code relative to publication of court calendars.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1695 of the General Code be amended to read as follows:

Court calendars  
published in  
daily law journal  
designated by  
judges.

Sec. 1695. In the counties of Hamilton, Cuyahoga, Franklin, Lucas, Montgomery and Summit, the judges of the courts of record, other than the court of appeals, shall jointly designate a daily law journal, published in the county, wherein shall be published all calendars of the courts of record in such county, which shall contain the numbers and titles of causes, and names of attorneys appearing therein, together with the motion dockets and such particulars and notices respecting causes, as may be specified by the judges, and each notice required to be published by any of such judges.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICH,  
Attorney  
General.

SECTION 2. That original section 1695 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 9, 1921.

Approved March 22, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 22nd day of March A. D., 1921.

25 G.

[House Bill No. 38.]

## AN ACT

To supplement section 934 of the General Code by the enactment of sections 934-2 and 934-3, requiring the installation and maintenance of telephone systems in coal mines.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 934 of the General Code be supplemented by the enactment of sections 934-2 and 934-3 of the General Code, to read as follows:

Maintenance of  
telephone system  
in coal mines  
required.

Sec. 934-2. Every owner, operator, lessee or agent of a coal mine, where twenty or more persons are employed, shall install, and maintain in efficient working condition, a telephone connecting each main switch of such mine with an outside telephone so connected and maintained as to

permit communication with persons outside of the mine with persons on the main switch or switches or other points inside of the mine that may be designated by the district mine inspector.

Sec. 934-3. Whoever, being the owner, operator, lessee or agent of a coal mine, where twenty or more persons are employed, fails or neglects, after six months from the taking effect of this act, to comply with the provisions of section 934-2 of the General Code, or violates any of the provisions thereof, shall be fined not less than two hundred nor more than one thousand dollars.

Penalty for failure or neglect to install telephones.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 9, 1921.

Approved March 22, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 22nd day of March, A. D. 1921.

26 G.

[Amended Senate Bill No. 37.]

## AN ACT

To prohibit the obstruction of the view of the interior of pool rooms, billiard parlors, and soft drink places.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 6212-40.

SECTION 1. Any soft drink place or room where any liquid or liquor that contains alcohol is sold for beverage purposes, or any pool room, or billiard parlor shall be so constructed and maintained that a clear and open view of the interior of said place may be had from the street on which said place of business fronts, and shall be free from screens, partitions, fixtures, obstructions, or painted or frosted windows, which may in any manner interfere with such view from the abutting street; provided, however, that such place of business, which is not located on the ground floor, or which room does not directly front on or abut on any street, shall be so constructed and maintained that such view of the interior, as above described, may be had from any entrance to said room.

Obstruction of view of interior of pool rooms, billiard parlors and soft drink places prohibited.

Sec. 6212-41.

SECTION 2. This act shall not apply to a bona fide drug store.

Drug store exempt.

Sec. 6212-42.

SECTION 3. Any person violating any of the provisions of this act shall, upon conviction, be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense, and each day's violation of any of the terms of this act shall be a separate offense.

Penalty for violations.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

SECTION 4. This act shall take effect and be in force from and after the earliest period allowed by law.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 10, 1921.

Approved March 22, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 22nd day of March, A. D. 1921.

27 G.

[Amended Substitute Senate Bill No. 33.]

## AN ACT

To improve and correct marketing conditions by providing for co-operative marketing.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 10186-22.

Co-operative  
marketing of  
farm products  
authorized.

SECTION 1. That persons engaged in the production of agricultural products as farmers, stock raisers, dairymen, fruit or truck growers, may act together in associations, corporate or otherwise, with or without capital stock in collectively processing, preparing for market, handling, and marketing the products of their members; and such producers may organize and operate such associations and make the necessary contracts and agreements to effect that purpose, any law of Ohio to the contrary notwithstanding; provided, however, that such associations are operated for the mutual benefit of the members thereof, as such producers, and conform to one or both of the following requirements:

Conditions and  
requirements of  
operation.

First, that no stockholder or member of an association is allowed more than one vote because of the amount of stock or membership capital he may own therein, and a member ceasing to be a producer of farm products shall have no vote; or

Second, that the association does not pay dividends on stock or membership capital in excess of eight per cent per annum.

Sec. 10186-23.

Supervision and  
regulation.

SECTION 2. All such associations or companies, when so formed, are hereby declared to be charged with a public interest and use, and subject to supervision and regulation.

Sec. 10186-24.

Utilities commis-  
sion shall super-  
vise, etc.

SECTION 3. The public utilities commission of Ohio is hereby vested with the power and jurisdiction to supervise and regulate such associations or companies, as herein defined and provided, and to require all such companies or associations to furnish their product and render all services required by the order of the commission, or by law.

Sec. 10186-25.

SECTION 4. Upon the formation of any such company or association, and before transacting business, it shall file with the public utilities commission a statement in writing containing the following information:

Filing of statement of information required.

First: Its name and principal place of business, and whether or not incorporated.

Second: The name and post office address of its officers.

Third: The nature and kind of agricultural products in which it proposes to deal.

Sec. 10186-26.

SECTION 5. That if the public utilities commission of Ohio shall have reason to believe that any such company or association restrains trade or lessens competition to such an extent that the price of any agricultural product is enhanced beyond the cost of production, plus a reasonable profit, by reason of such company or association, it shall serve upon the president or chief officer of such company or association, or if its president or chief officer can not be found, by a copy left at the office or usual place of business of such company or association with the person having charge thereof, a complaint stating its charge in that respect, to which complaint shall be attached, or contained therein, a notice of hearing, before the public utilities commission specifying a day and place not less than thirty days after the service thereof, requiring the company or association to show cause why an order should not be made directing it to cease and desist from so restraining trade or lessening competition in such article. An association or company so complained of may, at the time and place so fixed, show cause why such order should not be entered. The evidence given on such a hearing shall be reduced to writing and be made a part of the record thereof. If, upon such hearing, the public utilities commission shall be of the opinion that such company or association restrains trade or lessens competition to such an extent that the price of any agricultural product is, or is about to become, enhanced thereby beyond the cost of production, plus a reasonable profit, or is engaging in any unlawful practices, it shall issue and cause to be served upon the company or association in the manner hereinbefore provided for serving complaint an order reciting the facts found by it, directing such company or association to cease and desist therefrom.

When complaint may be made; service; hearing.

Sec. 10186-27.

SECTION 6. The public utilities commission shall have the same power to require the attendance of witnesses at such hearings and the production of the books, papers and documents of such companies or associations, and at all times to examine and inspect the books, documents and papers of any such company as is now provided by law in case of public utilities; and any final order made by such commission under the provisions of this act shall be subject to review by the supreme court of Ohio in the same manner as is now provided by law for the review of final orders made in matters pertaining to public utilities.

Attendance of witnesses and production of testimony.

## Sec. 10186-28.

Violation of lawful order a misdemeanor; penalty.

SECTION 7. Any such company or association which fails or neglects to obey any lawful order of the public utilities commission of Ohio shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than two hundred dollars, and not more than five thousand dollars. Each violation subsequent to the order made by the public utilities commission shall constitute a separate offense.

## Sec. 10186-29.

Fee of one hundred dollars on formation of association; annual fee.

SECTION 8. Upon the formation of any such company or association it shall pay into the treasury of the state of Ohio the sum of one hundred dollars to the credit of the public utilities fund to defray the expense of any such hearings or investigations; and annually thereafter such sum, not exceeding one hundred dollars, as the public utilities commission shall certify to the state treasurer as necessary to defray the expenses of such hearings for the ensuing year; provided such companies or associations shall not be subject to the provisions of section 606, or sections 5416 and 5420 of the General Code of Ohio, provided, however, that any such company or association which does not file the statement as provided for in section 4 of this act shall not be considered as existing or operating under the provisions of this act.

## Sec. 10186-30.

Action to recover penalties.

SECTION 9. Actions to recover penalties provided for under this act shall be prosecuted in the name of the state and may be brought in the court of common pleas of any county in which said company or association has its principal office or place of business. Such action shall be commenced and prosecuted by the attorney general when directed so to do by the commission. Moneys recovered by such action shall be deposited in the state treasury to the credit of the general revenue fund.

The sectional numbers on the margin hereof are designated as provided by law.

JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 10, 1921.

Approved March 22, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 22nd day of March, A. D. 1921.

28 G.

[House Bill No. 122.]

## AN ACT

To amend section 12442 of the General Code, relative to making, breaking into and entering, in the day time, with intent to steal, a felony.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12442 of the General Code be amended to read as follows:

Sec. 12442. Whoever, in the day time, maliciously breaks and enters a dwelling house, kitchen, shop, store, warehouse, malt house, stillhouse, mill, pottery, water craft, schoolhouse, church or meeting house, smokehouse, barn, stable, railroad car, car factory, depot, station house, poultry house, wagon house, sugar house, boat house, grain house, greenhouse, or other building with intent to steal, or to commit a felony shall be imprisoned in the penitentiary not less than one year and not more than five years.

Breaking and entering in day time; penalty.

SECTION 2. That original section 12442 of the General Code be, and the same is hereby repealed.

C. C. CRABBE,

*Speaker pro tem. of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed March 16, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of March, A. D. 1921.

29 G.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICH,  
Attorney General.

[Senate Bill No. 104.]

## AN ACT

To supplement section 1655 of the General Code, by the enactment of section 1655-1, to provide for the expense of extradition under the existing juvenile court act.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1655 of the General Code be supplemented by the enactment of section 1655-1 of the General Code as follows:

Sec. 1655-1. When a person charged with the violation of any provision of the foregoing section, has fled to another state, or territory, and the governor has issued a requisition for such person, the board of county commissioners shall pay from the general expense fund of the county to the agent designated in such requisition, all

Expense for return of accused who has fled to another state.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

necessary expenses incurred in pursuing and returning  
such prisoner so charged.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 11, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 31st day of March, A. D. 1921.

30 G.

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[House Bill No. 86.]

## AN ACT

To amend section 1357 of the General Code, relative to Ohio Wel-  
fare Conference.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1357 of the General Code be  
amended to read as follows:

Expenses of  
officers and em-  
ployes attending  
welfare con-  
ferences.

Sec. 1357. The necessary expenses of such officers  
and employes of the state, county and municipal boards,  
benevolent and correctional institutions, officials responsi-  
ble for the administration of public funds used for the  
relief and maintenance of the poor, officials authorized to  
administer the probation laws, and members of the boards  
of county visitors as are invited by the board of state chari-  
ties to the conferences provided for in section 1356 shall  
be paid from any fund available for their respective  
offices, boards and institutions, provided they first procure  
a certificate from the secretary of the board of state chari-  
ties as evidence that they were invited to and were in at-  
tendance at the sessions of such conferences.

SECTION 2. That said original section 1357 of the  
General Code be and the same is hereby repealed.

C. C. CRABBE,

*Speaker pro tem. of the House of Representatives.*

CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 16, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 31st day of March, A. D. 1921.

31 G.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*



[House Bill No. 118.]

## AN ACT

To amend section 1419 of the General Code, relative to certain fishing nets being exempted.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1419 of the General Code be amended to read as follows:

Sec. 1419. Certain Nets Exempted. Nothing in this act shall apply to nets, traps, or other devices for catching fish, in the possession of the owner of a private artificial fish pond or privately owned lake for use in such pond or lake only, or to fish nets, fish traps, or other devices for catching fish, not otherwise prohibited, to be used in catching fish in Lake Erie, or in the Ohio river, or in those bays, marshes, estuaries, inlets, bordering on, flowing into or in any manner connected with Lake Erie, wherein fishing with such devices is permitted, when such fish nets, fish traps, or other devices are kept within one mile of the waters of the Lake Erie fishing district, or within one mile of the Ohio river. Nothing in this chapter shall apply to nets, traps, or other devices, in the possession of bona fide manufacturers, or dealers, when such nets, traps, or other devices are kept in the regular places of business of such manufacturers or dealers, or are in course of transportation, or to nets, traps, or other devices in the possession of common carriers for transportation. Nets exempted.

SECTION 2. That said original section 1419 of the General Code be, and the same is hereby repealed.

C. C. CRABBE,

*Speaker pro tem. of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed March 16, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of March, A. D. 1921.

32 G.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

[House Bill No. 128.]

## AN ACT

To amend section 710-88 of the General Code, relating to names of consolidated banks.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 710-88 of the General Code be amended to read as follows:

Copy of agreement of consolidation and approval filed with secretary of state.

Sec. 710-88. In case of consolidation, when the agreement of consolidation is made and a duly certified copy thereof is filed in the office of the secretary of state, together with a certified copy of the approval of the superintendent of banks to such consolidation, the banks, parties thereto, shall be held to be one company possessed of the rights, privileges, powers and franchises of the several companies, but subject to all provisions of law relating to the different departments of its business. The directors and other officers named in the agreement of consolidation shall serve until the first annual election, the date for which shall be named in the agreement. On filing such agreement all and singular the property and rights of every kind of the several companies, including the exclusive right in and to the corporate name of each of the banks parties to such agreement shall thereby be transferred to and vested in such new company, and be as fully its property as they were of the companies parties to such agreement. The secretary of state shall not file or record any articles of incorporation of any company organized to do the business of a bank, a building and loan association, or a mortgage or investment company, within the county within which said consolidated bank is situated, if such name, or the distinguishing part thereof, is that of any bank party to such agreement, or so similar thereto as to be likely to mislead the public, unless the written consent of the consolidated bank, signed by its president and secretary, be filed with such articles.

Property and rights transferred.

When secretary of state shall refuse to file articles of incorporation.

SECTION 2. That said original section 710-88 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. FAICH,  
Attorney General.

C. C. CRABBE,

*Speaker pro tem. of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed March 16, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of March, A. D. 1921.

33 G.

[Amended Senate Bill No. 23.]

## AN ACT

To amend section 13688 of the General Code, in relation to the conduct of jury trials in criminal cases.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 13688 of the General Code be amended to read as follows:

Sec. 13688. When a case is finally submitted, the jurors must be kept together in a convenient place, under the charge of an officer, until they agree upon a verdict, or are discharged by the court. Provided, that, at any stage of the trial, or after submission, the court may, at its discretion permit the jurors to separate during the adjournment of court over night, under proper cautions and supervision of an officer. Such officer shall not permit a communication to be made to them, nor make any himself, except to ask if they have agreed upon a verdict, unless by order of the court; nor shall he communicate to any person, before the verdict is delivered, any matter in relation to their deliberation. If the jurors are permitted to separate during the trial, they shall be admonished, by the court, not to converse with, nor permit themselves to be addressed by, any person, nor to listen to any conversation on the subject of the trial, nor form or express any opinion thereon, until the case is finally submitted to them.

Keeping and  
conduct of jury  
after case sub-  
mitted.

SECTION 2. That the original section 13688 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed March 11, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 31st day of March, A. D. 1921.

34 G.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

[Amended Senate Bill No. 28.]

## AN ACT

To amend section 12476 of the General Code and to enact supplemental section 12476-1 relating to sale and removal of mortgaged property.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12476 of the General Code be amended and supplemented by the enactment of section 12476-1, to read as follows:

Removing mortgaged personal property from the county.

Sec. 12476. Whoever, being a mortgagor of personal property, or being in possession thereof knowing it to be so mortgaged, without the consent of the owner of the claim secured by mortgage, removes any of the property out of the county where it was situated at the time it was mortgaged, or secretes, or converts it to his own use, with intent to defraud, shall be fined not more than five hundred dollars or imprisoned not more than three months, or both.

Removal without the state or sale without consent.

Sec. 12476-1. Whoever, being a mortgagor of personal property, or being in possession thereof knowing it to be so mortgaged removes such mortgaged property or any part thereof, or causes the same to be removed without the state, or sells it or any part thereof within the state, without the consent of the owner of the claim secured by the mortgage, with intent to defraud the owner thereof, if the amount of the claim secured by the mortgage is thirty-five dollars or more, shall be imprisoned in the penitentiary not less than one year nor more than five years, or, if such value is less than thirty-five dollars, shall be fined not more than five hundred dollars or imprisoned not more than three months, or both.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

SECTION 2. That original section 12476 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 15, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of March, A. D. 1921.

35 G.

[House Bill No. 32.]

## AN ACT

To amend section 11819 of the General Code, relative to grounds of attachment.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 11819 of the General Code of Ohio be amended to read as follows:

Sec. 11819. In a civil action for the recovery of money, at or after its commencement, the plaintiff may have an attachment against the property of the defendant upon any one of the grounds herein stated: Grounds of attachment.

1. Excepting foreign corporations which, by compliance with the law therefor, are exempted from attachment as such, that the defendant or one of several defendants is a foreign corporation;

2. Is not a resident of this state;

3. Has absconded with the intent to defraud his creditors;

4. Has left the county of his residence to avoid the service of a summons;

5. So conceals himself that a summons cannot be served upon him;

6. Is about to remove his property, in whole or part, out of the jurisdiction of the court, with the intent to defraud his creditors;

7. Is about to convert his property in whole, or part, into money, for the purpose of placing it beyond the reach of his creditors;

8. Has property or rights in action, which he conceals;

9. Has assigned, removed, disposed of, or is about to dispose of, his property, in whole or part, with the intent to defraud, his creditors;

10. Has fraudulently or criminally contracted the debt, or incurred the obligations for which suit is about to be or has been brought; and

11. That the claim is for work or labor, or for necessities.

An attachment shall not be granted on the ground that the defendant is a foreign corporation or not a resident of this state, for any claim other than a debt or demand, arising upon contract, judgment or decree, or for causing damage to property or death or personal injury by negligent or wrongful act.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General

SECTION 2. That said original section 11819 of the General Code be, and the same is hereby repealed.

C. C. CRABBE,

*Speaker pro tem. of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed March 16, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of March, A. D. 1921.

36 G.

[House Bill No. 19.]

## AN ACT

To amend sections 13169, 13169-1, 13169-2 and 13169-3 and to enact supplemental section 13423-1 of the General Code providing for the registration of bottles, siphons, siphon tops, tins, fountain tanks, bottle cases, kegs or other containers; and making it unlawful for any person other than the owner thereof to fill, re-fill, deal or traffic in such bottles and other containers and providing penalties therefor.

*Be it enacted by the General Assembly of the State of Ohio:*

Section 1. That sections 13169, 13169-1, 13169-2, and 13169-3 of the General Code be amended and supplemental section 13423-1 be enacted to read as follows:

Registration of  
mark, brand,  
etc., of owner  
on containers;  
publication of  
mark, brand,  
etc., in news-  
paper.

Sec. 13169. Any person, firm or corporation engaged in the manufacturing, bottling, or selling of soda waters, mineral or aerated waters, ginger ale, porter, ale, beer, cider, small beer, milk, cream, lager beer, weiss beer, white beer, or other beverages or medicines, medical preparations, perfumery, oils, compounds, or mixtures, and using in the manufacture, sale and delivery of the same any bottles, siphons, siphon tops, tins, fountain tanks, kegs, bottle cases, or other containers, may mark and designate such bottles, siphon, siphon tops, tins, kegs, bottle cases, and other containers with his or its name or other mark or device branded, stamped, engraved, etched, blown or otherwise produced upon the same, and file in the office of the secretary of state and also in the office of the clerk of courts of the county in which his or its principal place of business is situated a description of such name, mark or device and cause such description to be printed once in each week for three weeks successively in a newspaper published in such county. Provided, that if the principal place of business of any such person, firm or corporation is in another state, the filing of such description shall be made in the office of the secretary of state and also in the office of the clerk of courts in any county of this state, and printed for three weeks successively in a newspaper published in such county. When any

such person, firm or corporation shall have complied with the provisions of this section, he or it shall thereupon be deemed the proprietor of such name, mark or device and of every such bottle, siphon, siphon top, tin, fountain tank, keg, bottle case, or other container upon which may be branded, stamped, etched, engraved, blown or otherwise produced upon the same, such mark or device. Upon the filing with the secretary of state and county clerk, as herein above referred to, such name, mark or device there shall be paid to the secretary of state and the county clerk respectively one dollar for each such name, mark or device so filed.

Fee for filing  
mark or brand.

Sec. 13169-1. When any person, firm or corporation, having complied with the provisions of section 13169 of this act, assigns by sale or otherwise his or its business including such name, mark or device to another person, firm or corporation, the assignee shall have all the rights and immunities and obligations conferred by this act upon the original manufacturer, bottler or seller, relative to said bottles, siphons, siphon tops, tins, fountain tanks, kegs, bottle cases or other containers so assigned, provided such assignee shall, upon such assignment, file in the office of the secretary of state and also in the office of the clerk of courts of the county in which his or its principal place of business is situated a certificate of said assignment, and cause such certificate to be printed once in each week for three weeks successively in a newspaper published in such county. If the principal place of business of such assignee is in another state the filing of such certificate of assignment shall be made in the office of the secretary of state and also in the office of the clerk of courts in any county of this state, and printed once in each week for three weeks successively in a newspaper published in such county.

Assignment of  
mark, brand,  
etc.; publication  
of certificate of  
assignment.

Sec. 13169-2. It is hereby declared unlawful for any person, firm or corporation to fill or refill, or cause to be filled or refilled, with soda water, mineral or aerated waters, ginger ale, porter, ale, beer, cider, small beer, milk, cream, lager beer, weiss beer, white beer, or other beverages, or with medicines, medical preparations, perfumery, oils, compounds, or mixtures any bottle, siphon, siphon top, tin, fountain tank, keg, or other container so marked or designated as aforesaid by any name, mark or device of which a description shall have been filed and published, as provided in sections 13169 and 13169-1 of this act; or to fill with bottles with intent to sell their contents any bottle case so marked or designated; or to deface, erase, obliterate, cover up, or otherwise remove or conceal any such name, mark or device thereon, or to sell, buy, give, take or otherwise dispose of or traffic in such bottles, siphon, siphon top, tin, fountain tank, keg, bottle case, or other container without the consent of, or unless the same shall have been purchased from the person, firm or corporation whose name, mark or device shall be in or upon the bottle, siphon, siphon tops, tin, foun-

Unlawful refilling of containers by other than owner, without purchase.

tain tank, keg, bottle case or other container so filled, re-filled, trafficked in, used, or handled, as aforesaid. The provisions of this section shall not apply to any person, firm or corporation, as to filling or refilling with his or its product any bottle, siphon, tin, fountain tank, keg, bottle case, or other container, owned by and having the name, mark or designation of such person, firm or corporation pursuant to the provisions of this act, when such person, firm or corporation shall have complied with the rules and regulations of the dairy and food division of the agricultural commission of Ohio, relative to the cleansing of such bottles, siphons, siphon tops, tins, fountain tanks, kegs, bottle cases or other containers.

Penalty for violations of law.

Sec. 13169-3. Whoever violates any of the provisions of this act shall be punished for the first offense by a fine of not less than ten dollars nor more than fifty dollars plus fifty cents for each and every such bottle, siphon, siphon top, tin, fountain tank, keg, bottle case or other container, by him so filled, refilled, sold, used, disposed of, bought, defaced, or trafficked in and for each subsequent offense by a fine of not less than twenty-five dollars, nor more than one hundred dollars plus five dollars for every such bottle, siphon, siphon top, tin, fountain tank, keg, bottle case or other container by him so filled, refilled, used, sold, disposed of, bought, defaced or trafficked in or by imprisonment not to exceed ninety days, or by both, such fine and imprisonment in the discretion of the magistrate or court before whom such offense shall be tried.

Courts having jurisdiction.

Sec. 13423-1. Justices of the peace, police judges, and mayors of cities and villages shall have jurisdiction, within their respective counties, in all cases of violation of any law relating to the filling or refilling of registered containers by other than the owner, or the defacing of the marks of ownership thereon.

Repeals.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That said original sections 13169, 13169-1, 13169-2, and 13169-3 of the General Code be, and the same are hereby repealed.

C. C. CRABBE,

*Speaker pro tem. of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed March 15, 1921.

Approved March 30, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of March, A. D. 1921.

37 G.



[Amended Senate Bill No. 41.]

## AN ACT

To provide for the assessment and collection of state and local taxes on whiskey stored in bonded warehouses, ownership of which can be determined only upon its removal therefrom and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 5388-1.

"SECTION 1. Upon all whiskey or other alcoholic liquor stored in bonded warehouses or other places or buildings shall be collected taxes at the rate current in the taxing districts in which such warehouse or warehouses or other places or buildings shall be situated for the year in which such state and local tax is to be paid and shall be assessed upon its true value in money. In determining the true value in money for taxation purposes of such whiskey or other alcoholic liquor so stored, the value placed thereon by the owner or his agent when declaring its value for shipment by express shall be prima facie evidence of its true value in money; and in cases where whiskey or other alcoholic liquor is not shipped by express and its value for such purpose not so declared then the true value in money for taxation purposes shall prima facie be the value last declared by an owner who has shipped similar whiskey or other alcoholic liquor by express from the same warehouse or other places or buildings. In case of removal from one bonded warehouse to another bonded warehouse either within or without the state, the value of such whiskey so removed shall be determined in the same way and shall be subjected to the tax as provided in this act. Delinquent taxes shall be assessable against such whiskey or other alcoholic liquor for the same period and in the same manner as provided for taxes against other property.

Assessment and collection of state and local taxes upon alcoholic liquor.

Valuation, how determined.

Assessment of delinquent tax.

Sec. 5388-2.

"SECTION 2. It shall be unlawful for the owner or owners of such warehouse or warehouses or other places or buildings where whiskey or other alcoholic liquor is stored to permit the removal or shipment of such whiskey or other alcoholic liquor therefrom until a tax receipt is presented showing the payment of all taxes

Removal without payment of tax, unlawful.

Sec. 5388-3.

"SECTION 3. Should necessity arise, the county commissioners may provide for the appointment of a resident deputy county treasurer and fix his compensation."

Resident, deputy county treasurer may be provided.

Sec. 5388-4.

SECTION 4. Any person or persons who refuse or fail to comply with the provisions of this act shall be subject to prosecution and for the first offense shall be assessed a fine which shall be double the amount of such taxes that should have been paid upon whiskey or other alcoholic liquor so unlawfully removed, provided, however, that in no case shall the fine be less than five hundred dollars. And for each subsequent offense the fines shall be the same as hereinbefore mentioned and to this shall be added an imprisonment of six months.

Prosecution; penalty.

Application of  
fines.

All fines so collected shall be paid into the county treasury for distribution as provided for the tax levied under this act.

Emergency act.

The sectional  
numbers on the  
margin hereof  
are designated as  
provided by law.  
JOHN G. FRICH,  
Attorney  
General.

SECTION 5. This act is hereby declared to be an emergency act necessary for the immediate preservation of the public peace and safety. Such necessity exists because of the reason that, unless this act is declared an emergency act, all such stored whiskey and other alcoholic liquors will soon disappear and the safety and service funds so depleted as to imperil public peace and welfare.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed March 14, 1921.

Approved March 31, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 31st day of March, A. D. 1921.

38 G.

[Amended Senate Bill No. 8.]

## AN ACT

To amend section 2166 of the General Code, relative to indeterminate sentence to the Ohio Penitentiary.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2166 of the General Code be amended to read as follows:

Minimum period  
of sentences  
fixed.

Sec. 2166. Courts imposing sentences to the Ohio penitentiary for felonies, except treason, and murder in the first degree, shall make them general, but they shall fix, within the limits prescribed by law, a minimum period of duration of such sentences. All terms of imprisonment of persons in the Ohio penitentiary may be terminated by the Ohio board of administration, as authorized by this chapter, but no such terms shall exceed the maximum term provided by law for the felony of which the prisoner was convicted, nor be less than the minimum term fixed by the court for such felony. If a prisoner is sentenced for two or more separate felonies, his term of imprisonment may equal, but shall not exceed, the aggregate of the maximum terms of all the felonies for which he was sentenced and, for the purposes of this chapter he shall be held to be serving one continuous term of imprisonment. If through oversight or otherwise, a sentence to the Ohio penitentiary should be for a definite term, it shall not thereby become void, but the person so sentenced shall be subject to the liabilities of this chapter and receive the benefits thereof, as if he had not been sentenced in the manner required by this section.

Authority of  
Ohio Board of  
Administration  
to terminate  
sentences.

Term, when pris-  
oner sentenced  
for two or more  
separate  
felonies.

Effect, if sen-  
tence should be  
for definite term.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That said original section 2166 of the General Code and all laws or parts of laws inconsistent with this act be, and the same are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 15, 1921.

This bill was presented to the Governor March 22nd, and was not signed or returned to the house wherein it originated within ten days after being so presented exclusive of Sundays and the day said bill was presented, and was filed in the office of the Secretary of State, April 4th, 1921.

WM. S. BUNDY,  
*Veto Clerk.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of April, A. D. 1921.

39 G.

[Senate Bill No. 102.]

## AN ACT

To amend section 4696 of the General Code, relative to transfer of territory from one county school district to another.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 4696 of the General Code be amended to read as follows:

Sec. 4696. A county board of education may, upon a petition of a majority of the electors residing in the territory to be transferred, transfer a part or all of a school district of the county school district to an exempted village, city or county school district, the territory of which is contiguous thereto. Upon petition of seventy-five percent of the electors in the territory proposed to be transferred the county board of education shall make such transfer. A county board of education may accept a transfer of territory from any such school district and annex same to a contiguous school district of the county school district.

Transfer of part or all of school district to another.

In any case before such a transfer shall be complete (1) a resolution shall be passed by a majority vote of the full membership of the board of education of the city, exempted village or county school district making or accepting the transfer as the case may be. (2) an equitable division of the funds and indebtedness between the districts involved shall be made by the county board of education, which in the case of territory transferred to a county school district shall mean the board of education of the county school district to which such territory is transferred, and (3) a map shall

Procedure; transfer of funds and indebtedness.

Legal title to  
school property.

be filed with the county auditor of each county affected by the transfer. When such transfer is complete the legal title of the school property shall become vested in the board of education of the school district to which such territory is transferred.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That original section 4696 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 23, 1921.

Approved April 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of April, A. D. 1921.

40 G.

[House Bill No. 6.]

## AN ACT

To amend section 4250 of the General Code, relative to merging the positions of director of public safety with that of public service.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 4250 of the General Code be amended to read as follows:

General powers  
of mayor; mer-  
ger of certain  
departments.

Sec. 4250. The mayor shall be the chief conservator of peace within the corporation. He shall have power to appoint, and have power to remove, the director of public service, the director of public safety, and the heads of the sub-departments of public service and public safety, and shall have such other powers and shall perform such other duties as are conferred and required by law. In any city the council may by a majority vote merge the office of director of public safety with that of public service, one director to be appointed for the merged department.

SECTION 2. That original section 4250 of the General Code be, and the same is hereby repealed.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

F. E. WHITTEMORE,  
*President pro tem. of the Senate.*

Passed March 22, 1921.

Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 11th day of April, A. D. 1921.

41 G.

[Amended Senate Bill No. 75.]

## AN ACT

To authorize the surrender of leases for school lands in section 16, of township 7, range 13, Ohio Company's purchase, and the purchase of the same in fee simple.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That any lessee, sublessee or owner in any way of a lease hold interest in sections 16 and 29 of original township 7, of range 13, in the Ohio Company's purchase, being in Homer township, Morgan county, Ohio, and which is held mediately or immediately under or by virtue of a lease made by special trustees of said original township, may surrender to the auditor of said county his lease, sublease or evidence of his ownership or holding, and pay to the county treasurer of said county the full amount of the value of such lands, as appraised prior to March 9, 1904, the lease of which is so surrendered; if other than an original lease is surrendered, then the amount to be paid is such part of the appraised value, as appraised prior to March 9, 1904, of the whole lease given as the number of acres so surrendered is proportionate to the whole number of acres included in the original lease. The county treasurer shall thereupon give such person a certificate duly made and signed, showing the name of the person making such surrender, a description of the premises surrendered, the amount paid into the treasury, and stating that said amount was the full appraised value thereof prior to March 9, 1904; and which certificate when countersigned by the auditor and sealed with the seal of his office, the owner thereof may present to the auditor of state, and said auditor shall then prepare a deed in due form, granting to such owner of certificate a fee simple title to said lands so surrendered, and which said deed shall be executed by being signed by the governor, and countersigned by the auditor of state and sealed with the seal of the state of Ohio; and when so executed said deed shall be by said state auditor transmitted to said county auditor, and by the latter delivered to the grantee thereof.

SECTION 2. Said county auditor shall report any sales made by virtue of this enactment to the auditor of state and from the time of making such report the state shall pay interest on such sum or sums so reported and the treasurer of state upon receipt from the auditor of state of a certificate showing such payment to have been made into the county treasury, and the execution and transmission of said

Authority to  
surrender lease  
of certain  
school lands  
and the pur-  
chase of same.

Report of sales  
by County  
Auditor.

This act is not of a general or permanent nature, and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

deed shall draw out of said county treasury said money so paid to said treasurer and accredit the same to the proper fund.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed March 24, 1921.

Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 11th day of April, A. D. 1921.

42 G.

[Senate Bill No. 61.]

# AN ACT

Authorizing W. B. Matthews, as trustee, to dispose of property.

*Be it enacted by the General Assembly of the State of Ohio:*

W. B. Matthews as trustee, authorized to dispose of property.

SECTION 1. That W. B. Matthews, trustee, appointed by the probate court of Delaware county, Ohio, for the purpose of carrying out the terms and conditions under which the 79th General Assembly made an appropriation of \$1,000 (102 Ohio Laws, 370) in full settlement of all claims of Mrs. Ethel Zimmerman, now Mrs. Ethel Powell, be and he is hereby authorized and empowered to sell and convey in fee simple the property acquired by him in carrying out the terms and conditions under which said appropriation was made, and after paying the necessary expenses connected with such sale, said trustee is further authorized and empowered to pay the balance of the purchase money over to the said Mrs. Ethel Powell for her sole use and support, whereupon said trustee shall be finally discharged of his said trust. The purchaser of said property from said trustee shall hold and enjoy the same free and clear of any right, title, interest or estate of the husband or heirs of the body of said Mrs. Ethel Zimmerman, now Mrs. Ethel Powell, or of the state of Ohio.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed March 22, 1921.

Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 11th day of April, A. D. 1921.

43 G.

This act is not of a general and permanent nature, and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

[House Bill No. 82.]

## AN ACT

To supplement section 3440 of the General Code, relating to the lighting by townships of territory outside of municipal corporations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3440 of the General Code be supplemented by the enactment of a supplemental section to read as follows:

Sec. 3440-1. The township trustees of any township shall also have power to provide artificial lights for any territory within such township and outside the boundaries of any municipal corporation, when such territory constitutes a place of public gathering for the inhabitants of such township or of a large part thereof and such township trustees find that the public safety or welfare requires that such place be lighted. Such provision may be made either by installing a lighting system or by contracting with any person or corporation to furnish lights. In case such light be furnished under contract such contract may also provide that the equipment employed in supplying same may be owned either by the township or by the person or corporation supplying same. No such contract shall be made to cover a period of more than ten years. The cost of installing and operating any such lighting system, or of any such light furnished under contract, shall be paid from the general (revenue) fund of the township treasury.

Authority to  
provide artificial  
lights outside  
of municipality.

he sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
F. E. WHITTEMORE,  
*President pro tem. of the Senate.*

Passed March 16, 1921.  
Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 11th day of April, A. D. 1921.

44 G.

## [Amended Senate Bill No. 91.]

To amend section 1683-2 of the General Code, relating to Mothers' Pensions.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1683-2 of the General Code be amended to read as follows:

Mothers' pensions; who entitled to; allowance.

Sec. 1683-2. For the support of women whose husbands are dead, or become permanently disabled by reason of physical or mental infirmity, or whose husbands are prisoners or whose husbands have deserted, and such desertion has continued for a period of three years, when such women are poor, and are the mothers of children not entitled to receive age and schooling certificate, and such mothers and children have a legal residence in any county of the state for two years, the juvenile court may make an allowance to each of such women as follows: not to exceed thirty-five dollars a month when she has but one child not entitled to an age and schooling certificate, and if she has more than one child not entitled to an age and schooling certificate, it shall not exceed thirty-five dollars a month for the first child and ten dollars a month for each of the other children not entitled to an age and schooling certificate. The order making such allowance shall not be effective for a longer period than six months, but upon the expiration of such period, said court may, from time to time, extend such allowance for a period of six months or less. Such homes shall be visited from time to time by a probation officer, the agent of an associated charities organization, or of a humane society as the court may direct, or in the absence of such probation officer, society or organization in any county, the sheriff of said county shall make such visits as directed by the probate court; provided that the person, other than the sheriff, who actually makes such visits, shall be thoroughly trained in charitable relief work, and the report or reports of such visiting agent shall be considered by the court in making such order for relief.

Visitation of homes and report.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original section 1683-2 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 24, 1921.  
Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 11th day of April, A. D. 1921.



[Amended Senate Bill No. 47.]

## AN ACT

To amend section 2715 of the General Code of Ohio so as to enlarge the limitation placed upon deposit of county moneys.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2715 of the General Code of Ohio be amended so as to read as follows:

Sec. 2715. The commissioners in each county shall designate in the manner hereinafter provided a bank or banks or trust companies, situated in the county and duly incorporated under the laws of this state, or organized under the laws of the United States, as inactive depositaries, and one or more of such banks or trust companies located in the county, at least one of which shall be located at the county seat as active depositaries of the money of the county. In a county where such bank or trust company does not exist or fails to bid as provided herein, or to comply with the conditions of this chapter relating to county depositaries, the commissioners shall designate a private bank or banks, located in the county as such inactive depositaries, and if in such county no such private bank exists or fails to bid as provided herein, or to comply with the conditions of this chapter relating to county depositaries, then the commissioners shall designate any other bank or banks incorporated under the laws of this state, or organized under the laws of the United States, as such inactive depositaries. If there be no such bank or trust company incorporated under the laws of the state, or organized under the laws of the United States, located in the county, then the commissioners shall designate a private bank, if there be one located therein, as such active depository. No bank or trust company shall receive a larger deposit than one million dollars, except that in case the county commissioners shall find that there will be an excess of money in the treasury of any county which it will be impossible to deposit under the limitation of one million dollars, such bank, banks or trust companies shall be permitted to receive an amount not to exceed five million dollars.

Active and inactive depositaries; Commissioners to designate.

SECTION 2. That said original section 2715 be and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 22, 1921.  
Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 11th day of April, A. D. 1921.

[Amended Senate Bill No. 31.]

## AN ACT

To amend sections 10969, 10983, 10985, 10989-2, 10990, 10991, 10992, 10993, 10994, 10997, 11003, 11004, 11008, 11009 and 11010, relating to the appointing, powers and duties of guardians.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That said original sections 10969, 10983, 10985, 10989-2, 10990, 10991, 10992, 10993, 10994, 10997, 11003, 11004, 11008, 11009 and 11010 be amended to read as follows:

Guardian may  
borrow money  
and mortgage  
real estate of  
ward, when.

Sec. 10969. In any case when at the time a person is adjudged an idiot, imbecile, lunatic, drunkard, insane or an incompetent by reason of advanced age or mental or physical disability or infirmity there exists one or more mortgages or judgments that are a lien on his real estate, or when valid debts are due, which may be a claim against the estate of such person, and would require the sale of his real estate to pay it, or when repairs or improvements may be for the benefit of such estate, or when real estate descends or is devised to a minor or minors, or to a person adjudged an idiot, imbecile, lunatic, drunkard, insane or an incompetent by reason of advanced age or mental or physical disability or infirmity, which is liable for the payment of debts, or legacies or on which one or more mortgages or judgment liens exist, or when it is necessary to borrow money for the maintenance of such ward, the guardian of such person may borrow money and mortgage the real estate of his ward or a part thereof to pay such mortgage, debts, legacies and judgments, and such additional sum as by the court is deemed necessary, to make needed repairs and improvements thereon, or for the maintenance of such ward.

Lease of real  
estate by  
guardian.

Sec. 10983. A guardian of the person and estate or of the estate only, of a minor, or of a lunatic, idiot or imbecile, or an incompetent by reason of advanced age or mental or physical disability or infirmity, may lease the real estate of his ward, or of such lunatic, idiot or imbecile, or an incompetent by reason of advanced age or mental or physical disability or infirmity, for petroleum oil or natural gas purposes, or either, or for the removal of gravel, stone or other mineral substances for such period of time not exceeding ten years, as may be authorized by the probate court appointing such guardian.

What petition  
shall set forth.

Sec. 10985. In cases when it is sought to lease the real estate of a lunatic, idiot or imbecile, or an incompetent by reason of advanced age or mental or physical disability or infirmity, for such purposes, the guardian also shall set forth in his petition the number, names, ages and residences of those who have the next estate of inheritance from the ward, all of whom, as well as the ward, shall be made defendants.

Sec. 10989-2. Laws relating to guardians for minors, idiots, imbeciles and lunatics, or an incompetent by reason of advanced age or mental or physical disability or infirmity, and pointing out the duties, rights and liabilities of such guardians and their sureties, shall be applicable to guardians appointed under the provision of section 10989-1 of the General Code.

Laws applicable.

Sec. 10990. When a person having a wife is declared to be an idiot, imbecile, or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, the probate judge may appoint such wife his guardian, if it be made to appear to the satisfaction of such judge that the wife is competent to discharge the duties of such appointment.

When wife may be appointed guardian.

Sec. 10991. Laws relating to guardians for minors and their wards and pointing out the duties, rights and liabilities of such guardians and their sureties, shall be applicable to guardians, for idiots, imbeciles, lunatics and incompetents by reason of advanced age or mental or physical disability or infirmity, and their children, except as otherwise specially provided. Be it further provided, that all sales, leases, encumbrances, or liens made or created on any real estate located in Ohio, by guardians for incompetents by reason of advanced age or mental or physical disability or infirmity since the seventeenth day of August, 1919, by order of any court of this state shall not be, nor be declared to be, invalid for the reason that such guardians for incompetents were not vested with all the statutory powers given to guardians of idiots, imbeciles and lunatics; and to the extent that said acts of guardians for incompetents are hereby prohibited from being held invalid they are declared to be legal and effective.

Laws applicable to guardians; former sales, leases, encumbrances, etc., are validated.

Sec. 10992. In the settlement of the accounts of such guardians, no voucher shall be received from or allowed as a credit to the guardian of an idiot, imbecile or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, which is signed or purports to be signed by such idiot, imbecile or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity.

Settlement of such guardian.

Sec. 10993. Such guardian may sue in his own name, describing himself as guardian of the ward for whom he sues. When his guardianship ceases by his death, removal, or otherwise, or by the death of his ward, actions or proceedings then pending shall not abate, if the right survives. His successor as guardian, or such idiot, imbecile, or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, if he be restored to his reason, or the executor or administrator of such idiot, imbecile, or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, as the case may require, shall be made party to the suit or other proceeding, as is provided by law for making an executor or adminis-

Suits by guardian.

trator party to a suit or proceeding of a like kind, where the plaintiff dies during its pendency.

Sale of real estate, coal or fire clay.

Sec. 10994. When a sale of the real estate, or coal from under, or fire-clay upon or under, the real estate of such ward is necessary for the support of himself or his family, or the payment of his debts, or such sale will be for the interest of such ward or his children, the guardian may sell it under like proceedings as are required by law to authorize the sale of real estate by the guardian of a minor. Or, if it be more for the interest of such idiot, imbecile or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, or his children, upon petition of the guardian, the probate court may authorize him to sell such real estate, or coal, iron-ore, limestone, fireclay or other minerals upon, or under the real estate, or the right to mine them, at private sale, either in whole or in parcels and upon such terms of payment as the court prescribes.

Sale, compromise or adjustment of dower.

Sec. 10997. If appointed in this state, the guardian of an idiot, imbecile or insane person, or an incompetent by reason of advanced age or mental or physical disability or infirmity, who has or is supposed to have a right of dower, or a contingent right to it, in lands or tenements, of which the husband or wife of such person was seized as an estate of inheritance, or in land held by bond, articles or other evidence of claim, where the dower has not been assigned, may sell, compromise, or adjust it upon such terms as he deems for the interest of such person, and as the probate court of the county in which the guardian was appointed approves, or if appointed in a foreign state, as the probate court of the county wherein the land is situated, approves. After such approval, the guardian may execute and deliver all the needful deeds, releases and agreements for the sale, compromise, or assignment of such dower, or contingent right to it.

Completion of real estate contracts.

Sec. 11003. The guardian of an idiot, imbecile, or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, appointed by a court in this state or elsewhere, may complete the real contracts of his ward, or any authorized contract of a guardian who has died or been removed, in like manner and by like proceedings as the real contract of a decedent, under an order of court, may be specifically performed by his executor or administrator. When by virtue of such contract or the completion of it, the guardian shall receive or be entitled to receive moneys not amply covered by his bond, the court shall require of him an additional bond with sureties, in respect of such moneys.

Guardian may improve real estate of certain ward; procedure.

Sec. 11004. The guardian of an imbecile or insane person, or an incompetent by reason of advanced age or mental or physical disability or infirmity may use the moneys and personal estate of his ward in improving his ward's real estate, as follows: The guardian proposing to

make such improvement, shall file in the probate court in which he was appointed, a petition describing the premises to be improved, the amount of rent the premises yield at the time the petition is filed, in what manner it is proposed to make such improvement; how much it is proposed to expend therefor, what rent the premises will probably yield when so improved, with a statement of the value of the ward's personal estate, and such other facts as are pertinent to the question whether the improvement should be made, and a prayer that he be authorized to use so much of his ward's moneys and personal estate as may be necessary to make it. If the property is so situated that, to the best interests of the ward's estate it can be advantageously improved in connection with the improvement of property adjoining and adjacent to it, the petition must show this, and have a prayer in accordance therewith. It also shall state the character of the imbecility or insanity or incompetency of the ward, whether temporary or confirmed, and its duration; the names, ages and residence of his family, including the ward's wife or husband, and of those who have the next estate of inheritance from the ward, all of whom, as well as the ward, must be made defendants, and be notified of the pendency and prayer of the petition in such manner as the court directs.

Sec. 11008. If the estate of the idiot, imbecile or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity is insolvent, or will probably be insolvent, it shall be settled by the guardian in like manner, and like proceedings may be had as are required by law for the settlement of the insolvent estate of a deceased person.

Insolvency of lunatic; settlement of estate.

Sec. 11009. The foreign guardian, conservator, trustee, or other person having power similar to those of guardians in this state, of a foreign idiot, imbecile, or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, appointed in any other state of the United States, or any territory thereof, may possess, manage, or dispose of the real and personal estate of his ward, situate in this state, in like manner and with like authority as guardians of idiots, imbeciles or lunatics, or an incompetent by reason of advanced age or mental or physical disability or infirmity appointed by the courts of this state, after complying with the following requirements:

Foreign guardian of foreign idiot, imbecile, etc., may dispose of property; requirements.

1. An authenticated copy of the foreign commission of idiocy or lunacy or incompetency proved, allowed, and recorded in the probate court of the county or one of the counties in which such estate is situated, in like manner as is provided by law for the admission to record of an authenticated copy of a will made in any other of the United States;

2. Evidence satisfactory to the court here, before which such foreign commission is approved, that such idiocy or lunacy or incompetency still continues;

3. The foreign guardian, conservator, trustee, or other person, having powers similar to those of guardians in this state, shall file his bond, with sureties, residing in this state or elsewhere, to the acceptance of the court, conditioned for the faithful administration of his guardianship.

Termination of guardianship.

Sec. 11010. When the probate judge is satisfied that an idiot, imbecile, or lunatic, or an incompetent by reason of advanced age or mental or physical disability or infirmity, or a person as to whom guardianship has been granted as such, is restored to reason, or that letters of guardianship have been improperly issued, he shall make an entry upon the journal that such guardianship terminate. Thereupon it shall cease, and the accounts of the guardian be settled by the court.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original sections 10969, 10983, 10985, 10989-2, 10990, 10991, 10992, 10993, 10994, 10997, 11003, 11004, 11008, 11009 and 11010 of the General Code be, and the same are hereby repealed.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed March 23, 1921.

Approved April 8, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 11th day of April, A. D. 1921.

47 G.

[Amended Senate Bill No. 112.]

## AN ACT

To authorize the auditor of state to issue a deed in fee simple to those leaseholders of school lands in Homer township, Morgan county, Ohio, who desire to purchase same.

*Be it enacted by the General Assembly of the State of Ohio:*

Sale of school lands in Morgan County authorized.

SECTION 1. School lands in section eight, located in Homer township, Morgan county, Ohio, which are now held under lease, and appraised at not to exceed ten dollars per acre, may be sold to such leaseholders, and such sales shall be according to the regulations hereinafter prescribed. The proceedings for the sale of such lands, for which a deed will be duly executed and delivered by the auditor of state to the purchaser thereof, shall be conclusively presumed to be regular and according to law.

Leaseholders may purchase; procedure.

SECTION 2. The leaseholders desiring to obtain a deed in fee simple for their holdings shall file a correct and accu-

rate plat of the section or sections on which the lands they desire to purchase are clearly designated with the township trustees of the township to which such lands belong, and each holder shall petition the auditor of state, asking that the lands be sold at the price designated, and shall file a duplicate of the plat hereinbefore provided for with the auditor of state. He shall also file a clear and accurate description of the lands, together with their appraised value, at the time of their last appraisalment.

SECTION 3. The auditor of state is hereby authorized to issue a deed in fee simple at a purchase price of five dollars an acre to all leaseholders in Homer township, Morgan county, Ohio, who have filed the necessary papers provided for in this act, and whose lands at the time of the last appraisalment were not appraised in excess of ten dollars per acre.

Deed by Auditor of State.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

All money received from the sale of such lands shall be paid into the state treasury to the credit of the common school fund.

Disposition of proceeds of sale.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 23, 1921.  
Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 11th day of April, A. D. 1921.

48 L.

[Senate Bill No. 77.]

## AN ACT

To amend section 3138-1 of the General Code relative to contracts by the county commissioners for the care of the indigent sick.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3138-1 of the General Code be amended to read as follows:

Sec. 3138-1. That the board of county commissioners of any county may enter an agreement with one or more corporations or associations, organized for charitable purposes, or with one or more corporations or associations organized for the purpose of maintaining and operating a hospital in any county where such hospital has been established, for the care of the indigent sick and disabled, excepting persons afflicted with pulmonary tuberculosis, upon

Contract by Commissioners for care of indigent sick.

such terms and conditions as may be agreed upon between said commissioners, and such corporations or associations, and said commissioners, shall provide for the payment of the amount agreed upon, either in one payment or installments, or so much from year to year, as the parties stipulate. Nothing herein shall authorize the payment of public funds to a sectarian institution. County commissioners shall have authority to employ the necessary and properly qualified employes to assist them in carrying out all responsibilities devolving upon them by reason of any agreement, or agreements, entered into in accordance with the provisions of this section.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That said original section 3138-1 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 23, 1921.

Approved April 8, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 11th day of April, A. D. 1921.

49 G.

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[Amended Senate Bill No. 148.]

## AN ACT

To amend section 9163 and section 9169 of the General Code, relating to union depot companies.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 9163 of the General Code be amended to read as follows:

Use of streets,  
alleys, roads, etc.

Sec. 9163. The companies whose boards of directors authorize the filing of the articles of incorporation, or assent thereto, shall each be held to own and be liable to pay an equal proportion of the capital stock, or when such union depot and terminal companies are organized by any number of persons, not less than five, the stock thereof may be acquired and held by such railroad companies as agree to use said union depot and terminals, in such proportions as said railroad companies may agree upon, and the provisions of the law authorizing railroad companies to enter upon and appropriate lands for depots, work shops, side tracks and materials therefor, shall be applicable to such union depot company, whether organized by the presidents of two or more railroad companies or by not less than five



individuals, as provided in this chapter; and any municipality in which such company is located, owning or having charge of any public road, street, alley, way or ground of any kind, except a public landing, may grant to such union depot and terminal company the right to construct, maintain and operate by elevated, surface and underground tracks, so far as may be necessary to carry out the purpose of said union depot and terminal company, along, over and under said public roads, streets, alleys, ways or grounds, subject to existing laws concerning crossings so far as the same may be applicable, and to erect and maintain therein the necessary tracks, piers, stays, supports and stations, and the approaches for the same, and also to construct suitable terminals and way stations; provided that before making such grant said union depot and terminal company shall file with the city or village, maps showing the location and character of the construction, and said grant shall provide for such manner of construction so that the ordinary use of and traffic upon said roads, streets, alleys, ways or grounds, whether by pedestrians, vehicles, street cars or otherwise, except temporarily when necessary in the construction of such structure, shall not be interfered with; and said grant shall further provide that any tunnel construction shall not impair the stability of said roads, streets, alleys, ways or grounds, or prevent the use of any sewers, water pipes, gas pipes, and conduits used for such purposes, or for telephone or telegraph purposes in said streets, alleys, ways or grounds, except temporarily when necessary in the construction of said tunnels.

Filing of maps  
showing con-  
struction.

Said grant can only be made upon such terms and conditions as are agreed upon by the council of the city and the company; and said grants shall provide for its acceptance by such union depot and terminal company within the time to be fixed by the council of the municipality.

Agreement and  
acceptance.

SECTION 2. That section 9169 of the General Code be amended to read as follows:

Sec. 9169. Any such company may borrow money for the purpose of raising means to carry out the powers conferred by the law authorizing the incorporation of union depots, without reference to the amount of stock of such company, and also issue coupons or other bonds payable to bearer, bearing interest not exceeding the highest contract rate of interest allowable in this state at the time, to be payable semi-annually; it also may mortgage its franchises, property and revenues of every kind, then owned or subsequently acquired, to secure the payment of such loan and interest, or of such bonds and interest; the stockholders thereof may jointly and severally guarantee the payment of any notes or bonds the company lawfully issues, and it may dispose of the same at such rate of premium or discount as the directors deem best for its interests, and it shall be sufficient to record any such mortgage securing such loan or

Power to bor-  
row money and  
mortgage prop-  
erty.

bonds in the real estate records of the county where the depot and tracks are constructed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICH,  
Attorney General.

SECTION 3. That said original sections 9163 and 9169 of the General Code be, and the same are hereby repealed.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed March 30, 1921.

Approved April 21, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 21st day of April, A. D. 1921.

50 G.

[Senate Bill No. 88.]

## AN ACT

To provide for the discovery of assets belonging to an estate of which a guardian or trustee has been appointed.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 10989-3.

Procedure by guardian or trustee to discover assets.

SECTION 1. Upon complaint made to the probate court or to the court of common pleas by a guardian or trustee of the estate of a minor, idiot, imbecile, lunatic, drunkard or of an incompetent by reason of advanced age or mental or physical disability or infirmity, or by any person interested in any such estate as a creditor thereof or otherwise, against any person suspected of being or having been in the possession of any moneys, goods, chattels, things in action, or effects of such estate, the said court shall cite the person so suspected forthwith to appear before it and to be examined on oath or affirmation touching the matter of said complaint.

Sec. 10989-4.

Commitment on refusal or neglect to appear.

SECTION 2. If any person so as aforesaid cited shall refuse or neglect to appear and submit to an examination as aforesaid, or shall refuse to answer such interrogatories as may be lawfully propounded, the court shall commit such person to the jail of the county, there to remain in close custody until he or she shall submit to the order and direction of the court in that behalf.

Sec. 10989-5.

Examinations reduced to writing.

SECTION 3. All such examinations, including as well questions as answers, shall be reduced to writing, signed by the party examined, and filed in the court before which the same was taken.

Sec. 10989-6.

SECTION 4. All costs of such proceedings shall be assessed against and paid by the party making the complaint.

Assessment of costs.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 24, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

51 G.

[House Bill No. 147.]

## AN ACT

To amend section 11273 of the General Code, relating to venue of actions.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 11273 of the General Code be amended to read as follows:

Sec. 11273. An action against the owner or lessee of a line of mail stages or other coaches, a railroad company, interurban railroad company, suburban railroad company or street railroad company owning or operating a railroad, interurban railroad or street railroad within the state, or against a transportation company owning or operating an electric traction road located upon either bank of a canal belonging to the state, may be brought in any county through or into which such line, railroad, interurban railroad, street railroad or electric traction railroad, passes or extends; provided that all actions against such owner, lessee or company for injuries to person or property, or for wrongful death must be brought in the county in which the cause of action or some part thereof, arose, or in the county in which the claimant for injuries to person or property or one whose wrongful death was caused, resides at the time when the cause of action arose, if the road or line of such owner, lessee or company or any part thereof be located in such county. If no part of such line or road be located in such county, then such actions may be brought in the county in which any part of such road or line is located, nearest the place where the claimant for injuries to person or property or the one whose wrongful death was caused, so resided.

Action against railroad company, interurban, suburban or street railroad, and stage companies, where brought.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
*Attorney General.*

The sectional  
formity to the  
act is in con-  
formity of the  
General Code,  
JOHN G. PRICH,  
Attorney  
General.

SECTION 2. That original section 11273 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 6, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

52 G.

[Amended Senate Bill No. 138.]

### AN ACT

To amend section 239 of the General Code, relative to the duties of  
the deputy auditor of state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 239 of the General Code be  
amended so as to read as follows:

Powers and  
duties of deputy.

Sec. 239. During the absence or disability of the  
Auditor of State, or when so directed by the Auditor of  
State, the Deputy Auditor of State shall have power to per-  
form all the duties of Auditor of State; and such deputy  
auditor of state is authorized to serve upon any board or  
commission now, or hereafter created by law, of which the  
auditor of state is made a member by law.

The sectional  
number in this  
act is in con-  
formity to the  
General Code,  
JOHN G. PRICH,  
Attorney  
General.

SECTION 2. That original section 239 of the General  
Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 30, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

53 G.

[House Bill No. 65.]

## AN ACT

Providing a penalty for bribery of baseball players.

Sec. 13182.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. Whoever, gives, promises or offers to any professional or semi-professional base ball player or manager, or to any professional participant or manager in any other sport any valuable thing with intent to influence him to lose or try to lose a base ball game or other contest in which such player, manager or participant is taking part or expects to take part, and whoever, being a professional base ball player, manager or professional participant or manager in any other sport solicits or accepts any valuable thing to influence him to lose a ball game or other contest in which he is taking part or expects to take part, shall be fined not more than ten thousand dollars and imprisoned in the penitentiary not less than one year nor more than five years.

Penalty for  
bribery of base-  
ball player.

The sectional  
number on the  
margin hereof  
is designated as  
provided by law.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 1, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

54 G.

[Amended Senate Bill No. 13.]

## AN ACT

To supplement sections 13523, 13524, 13529 and 13550 of the General Code, relating to bail bonds in criminal and quasi-criminal cases, so as to provide a bond commissioner and criminal record in counties having twelve or more common pleas judges, and defining the duties of such bond commissioner.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 13523, 13524, 13529 and 13550 of the General Code be, and the same are hereby supplemented as follows:

Sec. 13523-1. The chief justice or the presiding judge of the court of common pleas of any county having twelve or more common pleas judges, when to him it seems necessary, may appoint a bond commissioner and such deputies and clerks as may be required and fix their compensation, to be paid them monthly out of the county treasury on the

Appointment of  
bond commis-  
sioner, deputies  
and clerks.

**Offices provided.** warrant of the county auditor. All such appointees shall serve during the pleasure of the appointing power unless previously removed according to law and the commissioner and his deputies shall give bonds for the faithful performance of their duties in such amounts as said chief justice or presiding judge may order. The county commissioners shall provide a convenient office or offices for the bond commissioner and such other conveniences as may be necessary.

**Fixing amount of bond.** In counties having a bond commissioner no court or other official shall fix the amount of any bond in the case of a defendant charged with a felony until an examination has been had before such court or official respecting the previous criminal record of such defendant whereupon the bond of such defendant shall be fixed in such adequate amount as the public interest may require, and in furtherance of justice in all misdemeanor cases the court or bail bond commissioner may permit the defendant to go upon his own personal recognizance.

**Card system record kept; consolidated public index.** In all counties having a bond commissioner a public card system record shall be kept by the municipal court clerk and county clerk—alphabetically or otherwise arranged for ready reference—showing a record of all arrests, prosecutions, convictions and non-appearances in criminal cases—with the full name, address, age, citizenship and family of the defendant, the nature of the offense and judgment of the court. The bond commissioner shall make from all such or similar indices kept by all the courts of record in his county a consolidated public index showing said data.

**Passing upon the sufficiency of sureties.** When sureties are required upon bonds, the bond commissioner, or one of his deputies, shall pass upon the sufficiency of all bonds in criminal or quasi-criminal cases in all courts of record in his county, including all municipal courts therein, and no such bond shall be received or accepted, in any of said courts, until the approval of the bond commissioner or one of his deputies is endorsed upon it. Said bond commissioner and his deputies and any court or official required to take or accept such bonds or to approve the sureties thereon, shall have authority to administer oaths to and take affidavits from all such sureties and shall require them to be examined under oath respecting their ownership of property, the accuracy of its description, its fair market value, incumbrance upon same, their residence, their liability upon any existing bonds and their qualifications generally, and any false statement wilfully made in such examination or affidavit shall be deemed perjury and punished as such.

**Power to administer oaths.**

**Surety must be resident of county; qualifications of surety.** Sec. 13524-1. Each surety in every bond or recognizance approved by a bond commissioner must be a resident of the county in which the bond is given, or a surety company authorized to do business in the state of Ohio, and the sureties must own property worth double the sum to be secured; and, when an individual offers himself as such surety, he must own real estate within the county of a value, exclusive of liens thereon, equal to double the

amount of the bond, and shall be required to exhibit to the bond commissioner satisfactory evidence of ownership of said real estate and a recorded description of the same; and, when two or more such sureties are offered to the same bond or recognizance, they must have in the aggregate the qualification prescribed herein.

Such recognizances shall clearly disclose the full name of the surety or sureties, together with their residence address, and shall include a brief but accurate description of the real estate owned by such surety or sureties, and an agreement that in any suit upon the bond service of summons shall be sufficient if made by leaving a copy of summons at such designated residence address, or at such other place within the county, as may subsequently be designated in writing by such surety or sureties and accepted in indorsement upon said bond by such bond commissioner.

Any recognizance or bond approved by the bond commissioner shall forthwith become a lien upon said real estate owned by such surety or sureties, until the recognizance or bond shall have been exonerated or discharged.

The bond commissioner shall keep an accurate and indexed alphabetical record of all sureties and their liability and exoneration, and shall not accept as surety or sureties any person who is then liable on any recognizance or bond theretofore executed in any court of record within the county unless said prior bond or recognizance shall have been exonerated and discharged.

The bond commissioner, in lieu of the surety or sureties herein required, may accept a deposit of money in United States legal tender, Liberty Bonds, or other bonds of the United States, or Ohio state, county, or municipal bonds, in an amount equal to the bond, and such deposit shall be retained by the bond commissioner until the recognizance or bond shall have been exonerated and discharged; and, in the event of the forfeiture of any such bond or recognizance, the bond commissioner shall apply the money, or the proceeds from the sale of such bonds so deposited, in satisfaction of any judgment that may be rendered on the recognizance or bond, and the depositor of such fund shall surrender and forfeit all right in and to the same to the extent of such judgment.

If at any time the bond commissioner is of opinion that for any reason a bond approved by him is insufficient, he shall apply to the court in which the bond was given for an order directing a new or additional bond to be given.

Sec. 13550-1. In no action for the penalty on a forfeited bond or recognizance approved by a bond commissioner shall any reduction be made by the court from the full amount of the bond or recognizance, provided, however, that where it shall appear that after forfeiture of the bond or recognizance the principal on the bond has been surrendered or again arrested, the court may remit such penalty in whole or in part and render judgment accord-

Name, residence and description of real estate owned required; service of summons.

Bond a lien upon real estate.

Record of sureties and their liability.

Deposit of money in lieu of bond.

When new bond required.

No reduction shall be made in an action for penalty, or forfeited bond.

ing to the circumstances of the case and upon such terms and conditions as seem just and reasonable.

Certified copy of every bond and forfeited recognizance filed with county recorder.

Sec. 13529-1. In counties having a bond commissioner a certified copy of every bond and recognizance with individual sureties approved by him, shall forthwith be filed by him with the recorder of the county wherein such bond is taken, unless in the meantime the defendant shall have been acquitted or discharged by the court. The county recorder shall provide a suitable record book, properly indexed, in which he shall record all recognizances so certified to him and shall be entitled to receive such fees and record charges as are authorized by law for recording deeds and mortgages which shall be taxed in the costs of the respective cases, and shall be paid to the recorder by the county or municipal clerk, as the case may be, from funds in his hands upon certified vouchers or bills rendered by the recorder.

Certified list transmitted each day.

The bond commissioner shall transmit to the recorder each day a certified list, under the seal of the court, of all bonds or recognizances which have been exonerated or discharged, and the recorder shall note on the margin of the record of each recognizance the discharge or satisfaction of the same, and the lien on the real estate of the surety or sureties in such recognizances or bond shall thereby be cancelled and discharged.

Prosecution on forfeited bonds etc.

In all counties where there is a bond commissioner, all forfeited bonds and recognizances shall be delivered to him forthwith, and said bond commissioner shall prosecute all actions on such bonds and recognizances within a period of 30 days after delivery to him.

Application of collections.

All funds realized from the collection of such defaulted bonds and recognizances shall be paid into the county treasury and credited to a special fund called the forfeited bond fund and be expended only on the order of the county commissioners as provided in sections 2487, 2489 and 2490 of the General Code. When, at the end of any year the amount remaining in said forfeited bond fund exceeds the sum of \$10,000.00, the excess over that amount shall be transferred to the general fund.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 24, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.



[House Bill No. 75.]

## AN ACT

To authorize the council of the city of Canton, Ohio, to pay claim of Patrolman C. L. Wood, amounting to \$1142.80, for surgical and medical services made necessary because of injuries sustained while in the discharge of his duties.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the council of the city of Canton, Ohio, is hereby authorized and empowered to order paid to C. L. Wood of Canton, Ohio, out of the general fund of the city not otherwise appropriated, the sum of eleven hundred forty-two dollars and eighty cents as reimbursement for expenses incurred for hospital and surgical attendance resulting from the infliction of wounds while he was in the discharge of his public duty as patrolman; and the auditor of the city of Canton is authorized and directed when so ordered by the council to draw his warrant on the treasurer of said city for the amount herein designated and the treasurer of the city is authorized and directed to pay same.

Canton authorized to pay C. L. Wood.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed April 19, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

56 L.

[Senate Bill No. 202.]

## AN ACT

To authorize the conveyance to The Miami Conservancy District of all the right, title and interest of the state of Ohio in and to a certain parcel of real estate in the city of Piqua, Miami county, Ohio, in exchange for a new armory site.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the Governor be and he hereby is authorized and empowered in the name of the State of Ohio to convey to The Miami Conservancy District, a body corporate and political subdivision of the State of Ohio, all the right, title and interest of the state in and to a certain parcel of real estate in the City of Piqua, Miami County, Ohio, heretofore acquired by the state as a site for an armory, and in addition thereto the Adjutant General is authorized and empowered to pay to said The Miami Con-

Conveyances to Miami Conservancy District, authorized.

This act is not of a permanent and general nature, and requires no sectional number.  
JOHN G. FRICK,  
Attorney General.

servancy District not to exceed the sum of five thousand dollars, upon the execution and delivery of a deed to the State of Ohio whereby said The Miami Conservancy District conveys or causes to be conveyed in fee simple to the State of Ohio, free and clear of all incumbrances, a new site for said armory, satisfactory to the Governor and Adjutant General.

This act is not of a general and permanent nature, and requires no sectional number.  
JOHN G. PRICH,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 30, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

57 G.

[House Bill No. 117.]

## AN ACT

To amend section 14227 of the General Code, relating to the re-districting of the state of Ohio for courts of appeals districts and the enactment of new section of the General Code to be designated as 14228-1 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 14227 of the General Code be amended to read as follows:

Courts of Appeals districts.

Sec. 14227. The state of Ohio shall be divided into nine judicial Court of Appeals districts as follows:

The counties of Hamilton, Clermont, Butler, Warren, and Clinton shall constitute the first district.

The counties of Preble, Darke, Shelby, Miami, Montgomery, Champaign, Clark, Greene, Fayette, Madison and Franklin shall constitute the second district.

The counties of Mercer, Van Wert, Paulding, Defiance, Henry, Putnam, Allen, Auglaize, Hancock, Hardin, Logan, Union, Seneca, Marion, Wyandot and Crawford shall constitute the third district.

The counties of Brown, Adams, Highland, Pickaway, Ross, Pike, Scioto, Lawrence, Gallia, Jackson, Meigs, Vinton, Hocking, Athens and Washington shall constitute the fourth district.

The counties of Morrow, Richland, Ashland, Knox, Licking, Fairfield, Perry, Morgan, Muskingum, Coshocton, Holmes, Stark, Tuscarawas and Delaware shall constitute the fifth district.

The counties of Williams, Fulton, Wood, Lucas, Ottawa, Sandusky, Erie and Huron shall constitute the sixth district.

The counties of Lake, Ashtabula, Geauga, Trumbull, Portage, Mahoning, Columbiana, Carroll, Jefferson, Harrison, Guernsey, Belmont, Noble and Monroe shall constitute the seventh district.

The county of Cuyahoga shall constitute the eighth district.

The counties of Lorain, Medina, Wayne and Summit shall constitute the ninth district.

Sec. 14228-1. From and after the passage of this act, there shall be one additional judge of the court of appeals in the eighth district of Ohio, as hereinafter amended, composed of Cuyahoga county and two additional judges in the court of appeals, as hereinbefore provided for in the ninth district of Ohio, composed of the counties of Lorain, Medina, Wayne and Summit.

Additional  
judges; elec-  
tion; vacancies.

The judge of the court of appeals elected to the judgeship of the eighth district court of appeals and transferred to the territory of the ninth court of appeals district by this act shall serve the balance of his term as such judge as a member of the ninth district court of appeals.

There shall be a judge of the court of appeals of the eighth district of Ohio elected in 1922 to succeed the judge of the eighth court of appeals district who automatically becomes a resident of the ninth district as herein provided for.

Such additional judges in the ninth court of appeals district shall be elected at the general election in 1922, one for two years and one for four years and the successor to the judge at present residing within the territory of the ninth court of appeals district, who will become such member of the ninth court of appeals, whose term expires February 8, 1923, shall be also elected at the general election in 1922 for the term of six years and all of said judges shall be elected to hold terms of six years each thereafter.

Until such additional judges of the court of appeals are so elected and qualified, the governor shall appoint such additional judges from within their respective districts, hereinabove provided for.

Vacancies occurring in the office of such additional judges shall be filled in the manner prescribed for the filling of vacancies in the office of the judges of the court of appeals.

The judges herein provided for, shall exercise the same powers and jurisdiction and perform the same duties as the judges of the courts of appeals in Ohio; and shall receive the same compensation, as provided by law, for the judges of the courts of appeals in Ohio.

The sectional numbers in this act are in conformity to the General Code  
JOHN G. PRICE,  
*Attorney General.*

SECTION 2. That said original section 14227 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 19, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

58 G.

[Amended Substitute Senate Bill No. 86.]

## AN ACT

To provide for a firemen's indemnity fund in municipalities having no such fund, and providing how and to whom payments shall be made from such fund.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 4647-1.

Creation of firemen's indemnity fund.

SECTION 1. That in all municipalities having no firemen's pension fund created under the provisions of chapter I, title 12, division 6 of the General Code of Ohio, and having and maintaining therein a fire department supported in whole or in part at public expense, a firemen's indemnity fund shall be created and disbursed as herein provided.

Sec. 4647-2.

Trustees of firemen's indemnity fund.

SECTION 2. In all municipalities coming within the provisions of this act there shall be created a board of trustees to be known as "Trustees of Firemen's Indemnity Fund," which board shall consist of the director of public safety in municipalities having such officer, and the chief of the fire department in all other municipalities, who shall be the presiding officer of such board; and five other persons, members of the fire department, therein, who shall be elected and serve as provided in sections 4601, 4602, 4603, of the General Code herein. The board shall elect its secretary from any of its own members.

Sec. 4647-3.

Tax levy for fund; minimum amount.

SECTION 3. The indemnity fund shall consist of an amount of not less than three ten-thousandths of one per cent of the total tax valuation of each municipality, but in no case shall such fund be less than four hundred dollars (\$400.00).

Sec. 4647-4.

Council authorized to levy tax; annual levy.

SECTION 4. The council or other authority charged with the duty of levying municipal taxes shall at the time next occurring after the creation of such board, and in the manner provided by law for the levying of other taxes for municipal purposes, levy not more than three-tenths of one

mill upon each dollar of the taxable property in such municipality, provided that the total of said indemnity fund shall be raised in not less than four years. When the total fund has been once raised the said authorities shall annually thereafter make such levy as shall bring the amount of the indemnity fund to the amount provided for in this act, all of which levies shall be in addition to all other levies provided by law, and shall not be limited by any law restricting such levies; provided, however, that should the said council or other authority at any time fail or refuse to make and certify the necessary levy for the creation or maintenance of said indemnity fund the said board of firemen's indemnity fund may make and certify to the county auditor the necessary levy for such purposes and such county auditor shall place the same upon the tax duplicate and cause the same to be levied and assessed against the taxable property within the municipality in the same manner as though such levy had been made and certified by the council or other taxing authority; and the taxes when so levied and collected shall be distributed and paid into said indemnity fund.

Sec. 4647-5.

SECTION 5. The custodian of the other funds of such municipality shall be the custodian of said firemen's indemnity fund, and before receiving said funds such custodian shall give an additional bond therefor with sureties thereon to the approval of the said board, and in such amount as said board shall designate, conditioned that such custodian will keep and disburse said fund, as in this act provided, and upon surrendering said office turn over to his successor the amount remaining therein.

Custodian of funds.

Sec. 4647-6.

SECTION 6. The custodian of said firemen's indemnity fund shall invest the same, upon the orders of the said board, in bonds of the United States, state of Ohio, or of any county, township or municipal corporation of the state, or upon such direction may leave said funds with any bank or other financial institution of the state; provided, however, that said board may direct that a portion of said funds be so invested and the balance thereof left with such financial institution or institutions and said custodian may require security from any such bank or other financial institution with which any part of said fund shall be left.

Investment of funds.

Sec. 4647-7.

SECTION 7. All accruing interest on said funds shall be added thereto and said funds shall be disbursed and paid out by said custodian upon the orders only of the said board of firemen's indemnity fund.

Disbursement of funds.

Sec. 4647-8.

SECTION 8. The beneficiaries of any such firemen's indemnity fund shall be members of the fire department or their dependents who shall be entitled to be paid the amounts following:

Beneficiaries of fund, who shall be; allowances.

For the total disability of a fireman, sustained while in the discharge of his duties as fireman, the sum of two-thirds of his salary or average earnings, which shall in no case exceed eighteen (\$18.00) per week, and which shall be

fixed and determined by the said board of firemen's indemnity fund. For partial disability such an amount per week as shall be fixed by the board of firemen's indemnity fund which in no case shall exceed ten (\$10.00) dollars per week. Provided, however, that no such pension shall be paid to a fireman under full salary during the time of any such disability.

To the widow of any fireman killed while in the discharge of his duties as fireman, or who dies from exposure or injury received while in the discharge of such duty, a sum not to exceed twenty-five (\$25.00) dollars per month, so long as she remains his widow, and the further sum of not to exceed ten (\$10.00) dollars per month for each dependent child under sixteen years of age.

Nothing in this act contained shall be deemed to preclude or limit any municipality from availing itself of the provisions of chapter I, title 12, division 6 of the General Code of Ohio, and a municipality having a firemen's indemnity fund created and maintained under the provisions of this act may at any time avail itself of the said provisions of the General Code and thereupon the provisions of this act shall not apply to such municipalities.

Provisions do not preclude municipality from availing itself of other provisions of law.

Sec. 4647-9.

Laws applicable.

SECTION 9. The board of trustees in determining the rules and regulations for the addition and disposition of the indemnity funds shall be governed as far as applicable by sections 4607 and 4608 of the General Code.

SECTION 10. This act shall take effect and be in force at the earliest period allowed by law.

The sectional numbers on the margin hereof are designated as provided by law.

JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed March 30, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

59 G.

[Senate Bill No. 151.]

## AN ACT

Increasing the reserve in the state common school fund for the year 1921, making a temporary appropriation of the amount of such increase from the general revenue fund, and providing for the reimbursement of such fund from the reserve in the state common school fund.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. In the year 1921 the reserve in the state common school fund for the equalization of educational advantages throughout the state provided for by section seven thousand five hundred and eighty-two of the General

Temporary appropriation increase in reserve of state common school fund.

Code is hereby increased to eight hundred thousand dollars. The auditor of state is hereby authorized and directed to retain the sum of three hundred thousand dollars out of any moneys in his hands to the credit of the state common school fund and undistributed at the conclusion of the February settlement in the year 1921, or so much of such sum within the said amount of three hundred thousand dollars as may remain in his hands undistributed at the end of such settlement. The amount so retained shall be added to the reserve in the state common school fund for the equalization of educational advantages throughout the state for the year 1921.

SECTION 2. The sum of three hundred thousand dollars, or such less amount as represents the undistributed balance in the state common school fund remaining after the February settlement, 1921, is hereby appropriated out of any moneys in the general revenue fund of the state, not otherwise appropriated, for the use of the state superintendent of public instruction in equalizing educational advantages throughout the state in the manner in which he is authorized to disburse the reserve in the state common school fund for such purpose.

SECTION 3. The moneys withdrawn from the general revenue fund in pursuance of the appropriation made in the next preceding section shall be restored to such fund out of the additional reserve in the state common school fund created by section one of this act, as soon as said section one shall become effective and the action of the auditor of state thereunder has been taken.

SECTION 4. This act shall not be construed to repeal or amend section seven thousand five hundred and eighty-two of the General Code.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 30, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

60 G.

This act is not  
of a general  
and permanent  
nature, and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
*Attorney  
General.*

[Senate Bill No. 68.]

## AN ACT

To amend sections 5495, 5496, 5499, 5506, 5511 and 5519 relating to reports to the tax commission by foreign and domestic corporations and to the payment of fees, taxes and penalties by such corporations, and to repeal original sections 5495, 5496, 5499, 5506, 5511 and 5519 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 5495, 5496, 5499, 5506, 5511 and 5519 of the General Code be amended to read as follows:

Report of corporation for profit.

Sec. 5495. Annually during the month of May each domestic corporation incorporated for profit shall make a report in writing to the commission in such form as the commission may prescribe. For purposes of this act, domestic corporations shall be considered incorporated upon the filing of articles of incorporation.

Verification of report.

Sec. 5496. If the corporation has organized, such report shall be signed and sworn to before an officer authorized to administer oaths by the president, vice president, secretary or general manager of the corporation. In the event the corporation has not organized, then such report shall be signed and sworn to by one of the incorporators of said corporation and forwarded to the commission.

Report by foreign corporations.

Sec. 5499. Annually during the month of July, each foreign corporation for profit, doing business in this state, and owning or using a part or all of its capital or plant in this state, or, having complied with the provisions of section 183 of the General Code and having been authorized by the secretary of state to transact business in this state, in addition to all other statements required by law, shall make a report in writing to the commission in such form as the commission may prescribe.

Taxes and penalties, first lien.

Sec. 5506. Annually on the last day of the month fixed for the filing of its report with the tax commission of Ohio the fees, taxes and penalties, required to be paid by this act, shall become the first and best lien on all property of a public utility or corporation, whether such property is employed by the public utility or corporation in the prosecution of its business or is in the hands of an assignee, trustee or receiver for the benefit of the creditors and stockholders thereof. Such lien shall continue until such fees, taxes and penalties are paid.

Reinstatement of corporation.

Sec. 5511. Any corporation whose articles of incorporation or certificate of authority, to do business in this state, has been cancelled by the secretary of state, as provided in section one hundred and twenty (G. C. Section 5509) of this act, upon the filing, within two years after such cancellation, with the secretary of state, of a certificate from the commission that it has complied with all the requirements of this act and paid all taxes, fees or penalties due from it, and upon the payment to the secretary of state



of an additional penalty of one-tenth of one per cent upon the amount of its authorized stock, such penalty not to exceed one hundred dollars nor be less than ten dollars in any case, shall be entitled again to exercise its rights, privileges and franchises in this state, and the secretary of state shall cancel the entry made by him under the provisions of section one hundred and twenty (G. C. Section 5509) of this act, and shall issue his certificate entitling such corporation to exercise its rights, privileges and franchises.

Sec. 5519. A corporation shall not be required to file its first annual report under sections 106 to 115 (G. C. 5459 to 5504), inclusive, of this act, until the proper month, hereinbefore provided, for the filing of such report, next following the expiration of six months from the date of filing articles of incorporation or admission to do business in this state.

Report not required until lapse of six months from date of incorporation.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That said original sections 5495, 5496, 5499, 5506, 5511 and 5519 be, and the same are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed March 29, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

61 G.

[House Bill No. 246.]

## AN ACT

To provide further for the enforcement of laws prohibiting the liquor traffic, by seizure and sale of conveyances unlawfully transporting intoxicating liquors.

*it enacted by the General Assembly of the State of Ohio:*

Sec. 6212-43.

SECTION 1. When the commissioner of prohibition, his duty inspectors, or any officer of the law, shall discover any person in the act of transporting in violation of law, intoxicating liquors in any wagon, buggy, automobile, water or air craft, or other vehicle, it shall be his duty to seize any and all intoxicating liquors found therein being transported contrary to law. Whenever intoxicating liquors transported or possessed illegally shall be seized by an officer named herein, he shall take possession of the vehicle and team, or automobile, boat, air or water craft, or any other conveyance, and shall arrest any person in charge thereof. Such officer shall at once proceed against the per-

Seizure and sale of conveyances transporting intoxicating liquors.

son arrested under the law of the state prohibiting the liquor traffic, in any court having jurisdiction under such law, but the said vehicle or conveyance shall be returned to the owner upon execution by him of a good and valid bond with sufficient sureties, in a sum equal to the value of the property, which said bond shall be approved by said officer and shall be conditioned to return said property to the custody of said officer on the day of trial to abide by the judgment of the court. The court upon conviction of the person so arrested shall order the liquor destroyed, and unless good cause to the contrary is shown by the owner, shall order a sale by public auction of the property seized, and the officer making the sale, after deducting the expenses of keeping the property, the fee for the seizure, and the cost of the sale, shall pay all liens, according to their priorities, which are established, by intervention or otherwise at said hearing or in other proceeding brought for said purpose, as being bona fide and as having been created without the lienor having any notice that the carrying vehicle was being used or was to be used for illegal transportation of liquor, and shall distribute the balance as is distributed money arising from fines and forfeited bonds under the law of the state prohibiting the liquor traffic. All liens against property sold under the provisions of this section shall be transferred from the property to the proceeds of the sale of the property. If, however, no one shall be found claiming the team, vehicle, water or air craft, automobile, or other conveyance, the taking of the same, with a description thereof, shall be advertised in some newspaper published in the city or county where taken, or if there is no newspaper published in such city or county, in a newspaper having circulation in the county, once a week for four weeks and by hand bills posted in three public places near the place of seizure, and if no claimant shall appear within ten days after the last publication of the advertisement, the property shall be sold and the proceeds after deducting the expense and costs shall be distributed as hereinbefore provided in case there was a claimant for the said vehicle or conveyance.

Transfer of  
liens to pro-  
ceeds of sale.

The sectional  
number on the  
margin hereof is  
designated as  
provided by law.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 6, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

62 G.

[Amended Senate Bill No. 121.]

## AN ACT

To supplement section 710-111 of the General Code by the enactment of a supplemental section 710-111a, relative to investments of banks and to amend section 710-121 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 710-111 of the General Code be supplemented by a section to be known as section 710-111a and that section 710-121 of the General Code be amended to read as follows:

Sec. 710-111a. Any bank organized under this act may file application with the superintendent of banks for permission to exercise, upon conditions and under such regulations as may be prescribed by the said superintendent of banks, either or both of the following powers:

Application to superintendent to exercise certain powers.

(A) To invest its capital, surplus, undivided profits and deposits in bonds, notes, acceptances, debentures or first lien securities of one or more banks or corporations, chartered or incorporated under the laws of the United States and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States either directly or through the agency, ownership or control of local institutions in foreign countries, or in such dependencies or insular possession; including the bonds, notes, trade acceptances, debentures or first lien securities of one or more banks or corporations chartered or incorporated under section 25a of the Federal Reserve Act, as approved December 24, 1919.

(B) To invest an amount not exceeding in the aggregate ten per centum of its capital stock and surplus in the stock of one or more banks or corporations chartered or incorporated under the laws of the United States and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States either directly or through the agency, ownership or control of local institutions in foreign countries or in such dependencies or insular possessions; including the stock of one or more banks or corporations chartered or incorporated under section 25a of the Federal Reserve Act, as approved December 24, 1919.

Every bank organized hereunder and investing in the capital stock of banks or corporations as provided herein, shall be required to furnish information concerning the condition of such banks or corporations to the superintendent of banks upon demand.

Information furnished superintendent.

Sec. 710-121. Not more than twenty per cent of the capital and surplus of a bank doing business under this charter shall be invested in any one stock or security unless it be in bonds or other interest bearing obligations enumerated in paragraphs a, b, c, d, e and h of section 111 of this act; or in the stock of a corporation owning the land, build-

Limitation of capital and surplus invested in one stock or security.

ing or buildings occupied by such bank for its banking quarters, and then not exceeding sixty per cent of its capital and surplus shall be so invested, which shall be carried on the books of the bank as an investment or equity in real estate or in the bonds, notes, acceptances, debentures or first lien securities of banks or corporations chartered or incorporated under the laws of the United States and principally engaged in international or foreign banking, or banking in a dependency or insular possession of the United States either directly or through the agency, ownership or control of local institutions in foreign countries or in such dependencies or insular possessions; including the bonds, notes, acceptances, debentures or first lien securities of one or more banks or corporations chartered or incorporated under section 25a of the Federal Reserve Act, as approved December 24, 1919.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original section 710-121 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed March 24, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

63 G.

[House Bill No. 300.]

## AN ACT

To amend section 276 of the General Code, providing for the compensation of state examiners and assistant state examiners.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 276 of the General Code be amended so as to read as follows:

Appointment of examiners; compensation and mileage.

Sec. 276. The chief inspector and supervisor shall appoint such assistants as he deems necessary, who shall be known as state examiners, and assistant state examiners. State examiners shall receive the same compensation as is paid the auditor of the county in which the examination is held, said compensation to be reduced to a per diem basis by dividing the annual compensation of said county auditor by three hundred; provided, such per diem compensation shall not be more than fifteen dollars nor less than eight dollars per day. Assistant state examiners shall receive

one-half of the above compensation so determined, except that in no event shall the per diem compensation be less than five dollars. Each state examiner and assistant state examiner shall be allowed mileage at the legal rate of railroad transportation when traveling on official business under orders of the chief inspector and supervisor or the deputy inspectors and supervisors. Should any such examiner or assistant be called upon to testify in any legal proceeding in regard to any official matters, they shall be entitled to the compensation and expense herein provided, to be paid in the same manner, but shall not be entitled to witness fees.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That said original section 276 of the General Code be and the same is hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed April 6, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

64 G.

[House Bill No. 163.]

## AN ACT

To supplement section 12671 of the General Code, by the enactment of an additional section to be known as 12671-1, relative to the enforcement of the poison law.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12671 of the General Code be supplemented as follows:

Enforcement re-  
lating to poison.

Sec. 12671-1. The state board of pharmacy or anyone acting in its behalf shall enforce, or cause to be enforced, the laws relating to the labeling, recording, sale or delivery of poisons as provided in sections 12663, 12664, 12665, 12666, 12667, 12668, 12669, 12670 and 12671 of the General Code. If it has information that any provision of the law has been violated, it shall investigate the same, and upon probable cause appearing, shall file a complaint and prosecute the offender. Fines assessed and collected under prosecutions commenced or caused to be commenced by the state board of pharmacy shall be paid into the state treasury to the credit of the general revenue fund.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 6, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

65 G.

[House Bill No. 166.]

## AN ACT.

For the relief of Mrs. Sarah Carpenter.

*Be it enacted by the General Assembly of the State of Ohio:*

Relief Mrs.  
Sarah Carpen-  
ter.

SECTION 1. That the board of education of Millville Special School District, Hocking county, Ohio, be, and it is hereby authorized to pay to Mrs. Sarah Carpenter, for services rendered by her daughter Virgie E. Carpenter, deceased, as teacher in such school district, out of any funds under the control of such board of education not otherwise appropriated, the sum of two hundred and thirty-five dollars in full payment for her services as such teacher for forty-seven days at five dollars per day, within the months of September, October and November, 1920, being payment

in full at the rate agreed upon at the time she was employed, such payment to be made in the usual manner of paying teachers in such district.

When employed by such board of education, and during the entire time of employment, the said Virgie E. Carpenter had not a legal certificate. The contract being entered into in good faith, as both contracting parties had been informed by the proper authority, that the certificate would be granted. The state superintendent of public instruction did authorize the county superintendent to grant the certificate, but for some unknown reason, it was delayed. The death of the said Virgie E. Carpenter before the issuing of such certificate leaves no remedy at law for recovering the compensation for the services rendered in good faith, and in anticipation of a certificate being issued.

This act is not of a general and permanent nature, and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
Speaker of the House of Representatives.  
CLARENCE J. BROWN,  
President of the Senate.

Passed April 5, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

66 L.

[House Bill No. 44.]

## AN ACT.

To provide for the development of Americanization work and to encourage the patriotic education and assimilation of foreign born residents, and for such purpose enacting section 7761-2 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 7761-3.

SECTION 1. The department of public instruction shall cause to be visited and inspected all schools engaged in adult immigrant education and assist local boards of education in localities where there is need for the organization of classes for such adult immigrant education, to the end that they may be established and supported. It shall formulate and promote programs for Americanization and patriotic education, cooperate with the agencies of the federal government in the promotion thereof, aid in the correlation of aims and work carried on by public agencies and private individuals and organizations, and study plans and methods which may be proposed or are in use in such work. Such department shall employ such methods, subject to existing laws, as will tend to bring into sympathetic and mutually helpful rela-

Visitation and inspection of schools; formulation of Americanization programs.

tions the state and its residents of foreign origin, to protect immigrants from exploitation and abuse, to stimulate their acquisition and mastery of the English language, to develop their understanding of American government, institutions and ideals, and in general, to promote their assimilation and naturalization. Such department may for such purposes cooperate with other offices, boards, bureaus, commissions and departments of the state, and with all public agencies, federal, state, municipal and school.

Sec. 7761-4.

Supervisor; appointment of; powers and duties.

SECTION 2. A supervisor of Americanization work in the department of public instruction shall be appointed by the governor, who shall discharge the duties and exercise the powers imposed upon and vested in such department by this act. The supervisor shall select an advisory committee to counsel with him in carrying out the provisions of this act. The members of such advisory committee shall receive no compensation, but shall be paid their actual and necessary traveling expenses incurred in connection with their service as such members. The supervisor shall have power to determine the number of assistants and other employees necessary to carry on the work provided for in this act, all of whom shall be in the unclassified service of the civil service of the state. The compensation of the supervisor of Americanization work shall be fixed biennially by the General Assembly and his term of office shall be for two years, commencing on the second Monday of July.

SECTION 3. Section 7761 of the General Code is hereby further supplemented by the enactment of section 7761-2 of the General Code, as follows:

When board of education may establish school; tuition may be charged.

Sec. 7761-2. On the application of not less than fifteen adult persons born outside the territorial limits of the United States of America, including Alaska and the Hawaiian Islands, residents in the district, the board of education of such school district may establish and conduct an Americanization school open to all persons twenty-one years of age and over, of such foreign birth, resident of the district or of an adjoining district. The board of education of such school district may or may not charge such pupils a fee as in its discretion it may determine. The curriculum for such school shall be such as may be prescribed by the supervisor of Americanization. Such school may be conducted in any school building owned or controlled by such board of education, or in any room or quarters rented for such purpose by the board of education, or the use of which is secured rent free by such board of education. Such room or quarters may be located outside the boundaries of the district. The board of education of any other school district which does not maintain an Americanization school the residents of which are entitled to attend the Americanization school provided for in this section shall pay tuition for such persons, subject to all the provisions of sections seven thousand seven hundred and thirty-five and seven thousand seven hundred and thirty-six of the General Code, except-



The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

ing that the amount of such tuition shall be ascertained and computed in accordance with the expense of conducting such Americanization school only.

C. C. CRABBE,  
*Speaker pro tem. of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed March 30, 1921.  
Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

67 G.

[House Bill No. 127.]

## AN ACT.

To authorize the sale of certain real estate, now a part of the Lima State Hospital property in Allen county.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the auditor of state shall prepare a deed conveying to the said The Toledo and Cincinnati Railroad Company, its successors and assigns, in fee simple and without reservation, the following described tract or parcel of land, to-wit:

Conveyance of part of Lima State Hospital property authorized.

Beginning at a point in the west right of way line of the Toledo and Cincinnati Railroad Company, which is an intersection point between the center line of public road and said right of way; thence south 11 degrees, 55 minutes west, 1814.4 feet; thence south 89 degrees, 47 minutes west, 643 feet; thence north 50 degrees, 33 minutes east, 296 feet; thence on a 2 degree, 56 minute curve to the left, 1317 feet, the long chord of this curve having a bearing north 30 degrees, 58 minutes east a distance of 1292 feet; thence north 11 degrees, 55 minutes east, 491.5 feet; thence due east 22.7 feet to the place of beginning, containing 6.48 acres of land more or less; said tract or parcel of land being situate in the state of Ohio, county of Allen, township of Bath, being in township three (3) south, and in range seven (7) east, and in the northeast quarter (1/4) of section nineteen (19).

Description.

SECTION 2. The governor of the state shall sign said deed and cause the great seal of the state of Ohio to be affixed thereon, and the secretary of state shall countersign the same; and when said deed has been so executed it shall be delivered to the auditor of state.

Signing and delivery of deed.

SECTION 3. That when said railway company shall have paid to the auditor of state the sum of two thousand, two hundred and sixty-eight dollars in full payment for the

Consideration paid before delivery.

land so conveyed, the auditor of state shall deliver said deed to said railroad company.

Application of money.

SECTION 4. The auditor of state shall pay the said two thousand, two hundred and sixty-eight dollars into the state treasury to the credit of the Ohio board of administration and said board is hereby authorized and directed to use said moneys for drainage purposes and for the construction of roads and fences upon the premises of said Lima State Hospital.

This act is not of a general and permanent nature, and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 19, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

68 G.

[House Bill No. 272.]

## AN ACT

To prohibit false labels and misrepresentation in the sale of certain food products, and providing penalties for the violations thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 13111-1.

Misrepresentation in sale of food products, unlawful.

SECTION 1. That any person or persons, who with intent to defraud, sells or exposes for sale any meat or meat preparations or any fowl or preparations from fowl, and falsely represents the same to be "KOSHER" or as having been prepared under, and of a product or products sanctioned by, the Orthodox Hebrew religious requirements, or falsely represents any food products or the contents of any package or container to be so constituted and prepared by having or permitting to be inscribed thereon the word "KOSHER" in any language, or have the word "KOSHER" inscribed on the front of their business establishment in any language, is guilty of a misdemeanor, punishable by fine of not less than twenty-five dollars or more than five hundred dollars.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 6, 1921.

Approved April 25, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

69 G.

[House Bill No. 249.]

## AN ACT

To establish an administrative code for the state, to abolish certain offices, to create new administrative departments and redistribute among them existing administrative functions, and for such purposes enacting Chapter 1a of the Division I, Title III, Part First of the General Code, consisting of sections 154-1 to 154-58, inclusive, amending sections 243, 321, 496, 710-6, 840, 1170, 1171, 1172, 1173, 1178, 1233, 1261-2, 1807, 1857, 1931-1, 2248, 2250, 2288-1, 2312, 2313 and 7939 of the General Code, enacting supplemental sections 2249-1 and 7931-1 of the General Code, and repealing sections 86, 87, 88, 89, 90, 146, 147, 148, 149, 150, 151, 152, 153, 154, 196-1, 196-2, 196-3, 196-16, 196-18, 199, 242-1, 242-2, 270-1, 270-4, 270-5, 367-3, 367-4, 403-1, 406, 408, 409, 498, 615, 616, 618, 619, 620, 674, 675, 744-14, 744-15, 744-16, 744-17, 744-19, 744-20, 744-23, 746, 747, 752, 788, 789, 790, 791, 798-2, 798-4, 798-8, 799, 800, 801, 820, 821, 822, 823, 842, 844, 845, 848, 871-46, 871-47, 905, 982, 1079, 1079-1, 1080, 1081, 1083, 1084, 1087, 1087-2, 1088, 1089, 1089-1, 1099, 1123, 1171-2, 1171-3, 1177-22, 1177-23, 1177-24, 1177-25, 1179, 1180, 1183, 1232-1, 1233-1, 1236-2, 1261-1, 1440, 1465-8, 1465-43, 1808, 1809, 1833, 1834, 1836, 1837, 1841-7, 1861 and 5227 of the General Code and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. Chapter 1a of Division 1, Title III, Part First of the General Code, consisting of sections 154-1 to 154-58, inclusive, and entitled "ADMINISTRATIVE CODE," is hereby enacted, as follows:

Administrative  
code.

Sec. 154-1. In order that the governor may exercise the supreme executive power of the state vested in him by the constitution and adequately perform his constitutional duty to see that the laws are faithfully executed, the administrative functions of the state are organized as provided in this chapter.

Powers of gover-  
nor.

All powers vested in and duties imposed upon the lieutenant governor, the secretary of state, the auditor of state, the treasurer of state and the attorney general by the constitution and the laws shall continue except as otherwise provided by this chapter.

Powers of  
other officers.

Sec. 154-2. As used in this chapter:

"Department" means the several departments of state administration enumerated in section 154-3 of the General Code.

Definition of  
terms.

"Division" means a part of a department established as provided in section 154-8 of the General Code, for the convenient performance of one or more of the functions committed to a department by this chapter.

The phrase "departments, offices and institutions" includes every organized body, office and agency established by the constitution and laws of the state for the exercise of any function of the state government, and every institution or organization which receives any support from the state.

Sec. 154-3. The following administrative departments are created:

Administrative  
departments  
created.

The department of finance, which shall be administered by the director of finance, hereby created;

The department of commerce, which shall be administered by the director of commerce, hereby created;

The department of highways and public works, which shall be administered by the superintendent of public works as director thereof;

The department of agriculture, which shall be administered by the director of agriculture, hereby created;

The department of health, which shall be administered by the director of health, hereby created;

The department of industrial relations, which shall be administered by the director of industrial relations, hereby created;

The department of education, which shall be administered by the superintendent of public instruction, as director thereof;

The department of public welfare, which shall be administered by the director of public welfare, hereby created.

The director of each department shall, subject to the provisions of this chapter, exercise the powers and perform the duties vested by law in such department.

Appointment of  
directors.

Sec. 154-4. Each director whose office is created by section 154-3 of the General Code shall be appointed by the governor by and with the advice and consent of the senate, and shall hold his office during the pleasure of the governor.

Assistant di-  
rectors; vacan-  
cies.

Sec. 154-5. In each department there shall be an assistant director, who shall be designated by the director to fill one of the offices within such department, enumerated in section 154-6 of the General Code, or as the head of one of the divisions created within such department as authorized by section 154-8 of the General Code. When a vacancy occurs in the office of director of any department, the assistant director thereof shall act as director of the department until such vacancy is filled.

Offices created  
in the several  
departments.

Sec. 154-6. Offices are created within the several departments as follows:

**In the Department of Finance**

Superintendent of budget

Superintendent of purchases and printing

**In the Department of Commerce**

Superintendent of building and loan associations

Fire marshal

Superintendent of insurance

**In the Department of Highways and Public Works**

State architect and engineer

State highway engineer

In the Department of Agriculture  
Chiefs of divisions as follows:

Animal industry  
Fish and game  
Foods and dairies  
Plant industry  
State fair

In the Department of Industrial Relations  
Chiefs of divisions as follows:

Factory inspection  
Labor statistics  
Mines

In the Department of Education

Chiefs of divisions as follows:  
Examination and licensing  
Film censorship

In the Department of Public Welfare

Fiscal supervisor  
Superintendent of charities  
Superintendent of pardon and parole.

Sec. 154-7. The officers mentioned in sections 154-5 and 154-6 of the General Code shall be appointed by the director of the department in which their offices are respectively created, and shall hold office during the pleasure of such director.

Appointment of officers; term.

Sec. 154-8. The officers mentioned in sections 154-5 and 154-6 of the General Code shall be under the direction, supervision and control of the directors of their respective departments, and shall perform such duties as such directors shall prescribe.

Supervision and control of officers.

With the approval of the governor, the director of each department shall establish divisions within his department, and distribute the work of the department among such divisions. Each officer created by section 154-6 of the General Code shall be the head of such a division.

Establishment of divisions.

With the approval of the governor, the director of each department shall have authority to consolidate any two or more of the offices created in his department by section 154-6 of the General Code, or to reduce the number of or create new divisions therein.

Consolidation or creation of new offices authorized.

The director of each department may prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its employees, the performance of its business and the custody, use and preservation of the records, papers, books, documents and property pertaining thereto.

Regulations may be prescribed.

Sec. 154-9. Neither the director of commerce nor the superintendent of insurance shall have any official connection with an insurance company, own any stock therein, or be interested in the business thereof, except as a policyholder.

Director of commerce or superintendent of insurance shall not have certain official connections or business interests; other officers.

The director of commerce shall not be interested, directly or indirectly, in any firm or corporation which is a dealer in securities as defined in sections 6373-1 and 6373-2 of the General Code, or in any firm or corporation licensed under the provisions of section 6346-1 to 6346-10, inclusive, of the General Code.

Neither the director of commerce nor the superintendent of building and loan associations shall have any official connection with a building and loan association, or be interested in the business thereof, except as a stockholder.

The director of commerce and his appointees or employes performing services in connection with the administration of the laws relating to public utilities shall be subject in all respects to the provisions of sections 499-3 and 499-4 of the General Code.

State highway engineer, qualifications.

Sec. 154-10. The state highway engineer shall be a competent civil engineer with at least five years' experience in the construction and maintenance of highways.

Director of agriculture and chief of division of animal industry, qualifications.

Sec. 154-11. The director of agriculture shall be a person actively identified with agriculture.

The chief of the division of animal industry in the department of agriculture shall be a graduate of a recognized college of veterinary medicine and licensed to practice veterinary medicine and surgery in this state.

Director of health, qualifications.

Sec. 154-12. The director of health shall be a physician skilled in sanitary science.

Chief of licensing department shall not be affiliated with certain schools.

Sec. 154-13. The chief of the division of examination and licensing in the department of education shall not be affiliated with any college or school of medicine, (or any limited branch of medicine or surgery), or of pharmacy, dentistry, nursing, optometry or embalming, either as teacher, officer or stockholder.

Bond and oath of office; bond may be required of employee.

Sec. 154-14. Each officer whose office is created by sections 154-3, 154-5 and 154-6 of the General Code shall, before entering upon the duties of his office, take and subscribe an oath of office as provided by law and give bond, conditioned according to law, with security to be approved by the governor in such penal sum as shall be fixed by the governor, not less in any case than ten thousand dollars. Such bond and oath shall be filed in the office of the secretary of state.

The director of each department may, with the approval of the governor, require any chief of a division created under the authority of this chapter, or any officer or employe in his department, to give like bond in such amount as the governor may prescribe. The premium, if any, on any bond required or authorized by this section may be paid from the state treasury.

Advisory boards may be provided.

Sec. 154-15. The director of each department may, with the approval of the governor, establish and appoint advisory boards to aid in the conduct of the work of his department or any division or divisions thereof. Such advisory boards shall exercise no administrative function, and

their members shall receive no compensation, but may receive their actual and necessary expenses.

Sec. 154-16. Each officer whose office is created by sections 154-3, 154-5 and 154-6 of the General Code shall devote his entire time to the duties of his office, and shall hold no other office or position of profit. In addition to his salary provided by law, each such officer and each member of the boards and commissions in the departments created by this chapter shall be entitled to his actual and necessary expenses incurred in the performance of his official duties.

Officers shall devote entire time and hold no other office.

Sec. 154-17. Each department shall maintain a central office in the city of Columbus. The director of each department may, in his discretion and with the approval of the governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.

Central office shall be in Columbus.

Sec. 154-18. Each department shall adopt and keep an official seal, which shall have engraved thereon the coat of arms of the state as described in section thirty of the General Code, shall be one and three-fourths inches in diameter, and shall be surrounded by the proper name of the department, to which may be added the title of any division, board or commission within the department, if the director of the department shall so prescribe. Such seal may be affixed to any writs and authentications of copies of records and official papers, and to such other instruments as may be authorized by law or prescribed by the proper authority in any department to be executed. When so authenticated, any copy of such record, official paper, or other instrument shall be received in evidence in any court in lieu of the original.

Seal for each department; specifications.

Each department shall provide for the keeping, within such department, of such records and journals as may be necessary to exhibit its official actions and proceedings.

Journals and records.

Sec. 154-19. Each department is empowered to employ, subject to the civil service laws in force at the time the employment is made, the necessary employees, and, if the rate of compensation is not otherwise fixed by law, to fix their compensation. Nothing in this chapter shall be construed to amend, modify or repeal the civil service laws of the state, except as herein expressly provided.

Employment subject to civil service laws.

All offices created by sections 154-5 and 154-6 of the General Code shall be in the unclassified civil service of the state.

Sec. 154-20. All employees in the several departments shall render not less than eight hours of labor each day, Saturday afternoons, Sundays and days declared by law to be holidays excepted in cases in which, in the judgment of the director, the public service will not thereby be impaired.

Daily hours of service by employees.

Each employee in the several departments shall be entitled during each calendar year to fourteen days leave of absence with full pay. In special and meritorious cases where to limit the annual leave to fourteen days in any one calendar year would work peculiar hardship, it may, in the

Two weeks absence, on pay, each year.

discretion of the director of the department, be extended. No employe in the several departments, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by law.

Cooperation and coordination of work under direction of governor.

Sec. 154-21. Under the direction of the governor, the directors of departments shall devise a practical and working basis for cooperation and coordination of work and for the elimination of duplication and overlapping functions. They shall, so far as practicable, cooperate with each other in the employment of services and the use of quarters and equipment. The director of any department may empower or require an employe of another department, subject to the consent of the superior officer of the employe, to perform any duty which he might require of his own subordinates.

Report by each department.

Sec. 154-22. Each department shall make and file a report of its transactions and proceedings at the time and in the manner prescribed by section 2264-1 of the General Code.

Power to inspect, examine, etc.

Sec. 154-23. Whenever power is vested in any of the departments created by this chapter, or in any other state department, board or commission, to inspect, examine, secure data or information, or to procure assistance from another department, office or institution, a duty is hereby imposed upon the department, office or institution, upon which demand is made, whether created by this chapter or otherwise, to make such power effective.

Rights, powers and duties heretofore vested or exercised by board, officer, commission, etc. transferred.

Sec. 154-24. Whenever rights, powers or duties which have heretofore been vested in or exercised by any officer, board, commission, institution or department, or any deputy, inspector or subordinate officer thereof, are, by this chapter, transferred, either in whole or in part, to or vested in a department created by this chapter, or any other department, office or institution, such rights, powers and duties shall be vested in, and shall be exercised by the department, office or institution to which the same are hereby transferred, and not otherwise; and every act done in the exercise of such rights, powers and duties shall have the same legal effect as if done by the former officer, board, commission, institution or department, or any deputy, inspector, or subordinate officer thereof. Every person, firm and corporation shall be subject to the same obligations and duties and shall have the same rights arising from the exercise of such rights, powers and duties as if such rights, powers and duties were exercised by the officer, board, commission, department or institution, or deputy, inspector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this chapter. Every person, firm and corporation shall be subject to the same penalty or penalties, civil or criminal, for failure to perform any such obligation or duty, or for doing a prohibited act, as if such obligation or duty arose from, or such act were prohibited in, the exercise of such right, power or duty by the officer, board, commission or institution, or deputy, in-

Rights, powers, duties, etc., of persons, firms, corporations, etc.



spector or subordinate thereof, designated in the respective laws which are to be administered by departments created by this chapter. Every officer and employe shall, for any offense, be subject to the same penalty or penalties, civil or criminal, as are prescribed by existing law for the same offense by any officer or employe whose powers or duties devolve upon him under this chapter.

Sec. 154-25. Wherever reports or notices are now required to be made or given, or papers or documents furnished or served by any person to or upon any officer, board, commission or institution, or deputy, inspector or subordinate thereof, abolished by this chapter, the same shall be made, given, furnished, or served in the same manner to or upon the department, office or institution upon which are devolved by this chapter the rights, powers and duties now exercised or discharged by such officer, board, commission or institution, or deputy, inspector or subordinate thereof; and every penalty for failure so to do shall continue in effect.

Service of notice and making reports.

Sec. 154-26. The following offices, boards, commissions, arms and agencies of the state government heretofore created by law are hereby abolished:

Offices, boards, commissions, etc., abolished.

The Ohio board of clemency,  
 The state purchasing agent,  
 The state registrar of vital statistics,  
 The officer commonly known as the "Budget Commissioner,"  
 The state board of education,  
 The secretary of the public utilities commission of Ohio,  
 The superintendent of insurance,  
 The inspector of building and loan associations,  
 The superintendent of banks,  
 The commissioner of securities,  
 The commissioners of public printing,  
 The supervisor of public printing,  
 The state board of library commissioners,  
 The librarian appointed by the state board of library commissioners,  
 The library organizer appointed by the state board of library commissioners,  
 The director of the legislative reference department,  
 The state geologist,  
 The state fire marshal,  
 The state inspector of oils,  
 The board of censors of motion picture films under the authority and supervision of the industrial commission of Ohio,  
 The board of agriculture of Ohio,  
 The secretary of agriculture,  
 The head of the bureau of markets and marketing under the board of agriculture of Ohio.  
 The chief of the bureau of horticulture under the board of agriculture of Ohio,

The inspector of canneries under the board of agriculture of Ohio,

The board of control of the Ohio agricultural experiment station,

The agricultural advisory board,

The state highway commissioner,

The chief highway engineer,

The commissioner of health,

The state inspector of plumbing,

The board of state charities,

The secretary of the board of state charities,

The secretary of the tax commission of Ohio,

The Ohio board of administration,

The fiscal supervisor-secretary of the Ohio board of administration,

The state building commission.

Department of  
soldiers' claims  
transferred.

Sec. 154-27. The department of soldiers' claims is hereby transferred to and placed under the supervision of the adjutant general.

#### DEPARTMENT OF FINANCE.

Department of  
finance, control  
and powers  
specified.

Sec. 154-28. The department of finance shall have power to exercise control over the financial transactions of all departments, offices and institutions, excepting the judicial and legislative departments, as follows:

(1) By prescribing and requiring the installation of a uniform system of accounting and reporting, as to accruals of revenue and expenditures necessary in certifying that funds are available and adequate to meet contracts and obligations.

(2) By prescribing and requiring uniform order and invoice forms and forms for financial reports and statements, and by requiring financial reports and statements.

(3) By requiring itemized statements of expenditures proposed for any specified future period to be submitted to the department, and by approving or disapproving all or any part of such proposed expenditures.

(4) By requiring orders, invoices, claims, vouchers or payrolls to be submitted to the department, where such submission is prescribed by law or where the governor shall deem such submission necessary, and by approving or disapproving such orders, invoices, claims, vouchers or payrolls.

(5) By supervising and examining accounts, the expenditures and receipts of public money and the disposition and use of public property, in connection with the administration of the state budget.

(6) By prescribing the manner of certifying that funds are available and adequate to meet contracts and obligations.

(7) By prescribing uniform rules governing forms of specifications, advertisements for proposals, opening of bids, making of awards and contracts, governing purchases of supplies and performance of work.

(8) By reporting to the attorney general for such action, civil or criminal, as the attorney general may deem necessary all facts showing illegal expenditures of the public money or misappropriation of public property.

(9) By prescribing rules and regulations for carrying into effect any or all of the other powers herein granted.

No provision of law authorizing or requiring any department, office or institution to keep accrual, encumbrance or cost accounts or to exercise fiscal management and control over or with respect to any institution, activity or function of the state shall be so construed as to exclude such department, office or institution from the control of the department of finance herein specified, but the power of the department of finance herein provided for shall apply and relate to such accounts and reports of all such departments, offices and institutions.

Sec. 154-29. As used in section 154-28 of the General Code:

"Order" means a copy of a contract or a statement of the nature of a contemplated expenditure, a description of the property or commodity to be purchased or service to be performed, other than services of officers and regular employes of the state, and per diem of the national guard, and the total sum of the expenditure to be made therefor if the same is fixed and ascertained, otherwise the estimated sum thereof.

Definition of terms.

"Invoice" means and includes estimates on contracts, or a statement showing delivery of the commodity or performance of the service described in the order, and the date of the purchase or rendering of the service, or a detailed statement of the things done, material supplied or labor furnished, and the sum due pursuant to the contract or obligation.

"Voucher" means the order and invoice as herein defined; and wherever in the General Code the word "voucher" is used it shall be held to have the meaning herein defined.

"Public money" shall have the meaning defined in section two hundred and eighty-six of the General Code.

All orders and invoices shall specify the appropriation account from which they are payable.

Sec. 154-30. If any requirement of the department of finance respecting the submission of statements of proposed expenditures, or orders, invoices, claims, vouchers or payrolls is not complied with, or if any statement of proposed expenditure, or any order, invoice, claim, voucher or payroll is submitted to and disapproved in whole or in part by the department of finance, the department shall have authority to notify the auditor of state thereof, and such auditor shall not issue any warrants on the treasury in payment of such expenditure, claim or voucher.

Requirements of the department of finance must be complied with before issue of warrant.

Order approved and charged against proper appropriation account, such account not available for payment of other invoices until final invoice filed.

The department of finance may certify to the auditor of state any order or statement of proposed expenditures approved by it, and direct the proper appropriation account or accounts to be charged therewith, or with the estimated amount thereof, in which event the sum so certified shall be a prior charge on such appropriation account or accounts, available only for the payment of invoices issued against such order, or expenditures within such statement, until the final invoice therefor is filed with the auditor of state, or until the department of finance shall certify that such order and the obligation recited therein have ceased to be an obligation against the state, or such proposed expenditures have been made or abandoned in whole or in part.

Whenever any commodity or service included in any such order or statement so certified is delivered or performed, or whenever any payment is due upon any contract or obligation covered thereby, an invoice shall be filed with the auditor of state therefor. The total of all invoices issued against any such order shall not exceed the sum of such order or the estimated sum appearing on such order.

Further powers and duties.

Sec. 154-31. The department of finance shall:

- (1) Prepare and report to the governor, when requested, estimates of the income and revenues of the state, and devise new forms of revenue for the state;
- (2) Prepare and submit to the governor biennially, not later than the first day of January preceding the convening of the general assembly, state budget estimates;
- (3) Publish, from time to time, for the information of the several departments and of the general public, bulletins of the work of the department;
- (4) Investigate duplication of work of the departments and the efficiency of the organization and administration of departments, and formulate plans for the further coordination of departments.

Powers to take testimony and produce evidence.

Sec. 154-32. In the exercise of any of the powers mentioned in section 154-28 of the General Code, the department of finance shall have power to compel the attendance and testimony of witnesses, to administer oaths and to examine such persons as it may deem necessary, and compel the production of books and papers. The orders and subpoenas issued by the department in pursuance of the authority in it vested by this section may be enforced, on the application of the director of finance, by any court of common pleas by proceedings in contempt therein as provided by law.

Budget estimates by departments, offices, etc., when and how made.

Sec. 154-33. In the preparation of state budget estimates the director of finance shall, not later than the fifteenth day of September in the year preceding the regular session of the general assembly, distribute to all departments, offices and institutions of the state government, the blanks necessary for the preparation of budget estimates, which shall be in such form as shall be prescribed by the director of finance, to procure, among other things, information as to the revenues and expenditures for the two pre-

ceding fiscal years, and appropriations made by the previous general assembly, the expenditures therefrom, encumbrances thereon, and the amounts unencumbered and unexpended; an estimate of the revenues and expenditures of the current fiscal year, and an estimate of the revenues and amounts needed for the respective departments, offices and institutions for the two succeeding fiscal years for which appropriations have to be made. Each department, office and institution shall, not later than the first day of November, file in the office of the director of finance its estimate of receipts and expenditures for the succeeding biennium. Such estimate shall be accompanied by a statement in writing giving facts and explanation of reasons for each item of expenditure requested. The director of finance may, in his discretion, make further inquiry and investigation as to any item desired. He may approve, disapprove or alter the estimates, excepting those for the legislative and judicial departments of the state government. Such estimates as revised by him shall constitute the state budget estimates which the department of finance is required by this chapter to submit to the governor.

Sec. 154-34. The governor shall, as soon as possible and not later than four weeks after the organization of the general assembly, submit a proposed state budget in the form of an appropriation bill or bills and a statement showing the amounts recommended by him to be appropriated to the respective departments, offices and institutions and for all other public purposes, the estimated revenues from taxation, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation.

Governor shall submit to General Assembly proposed state budget.

Sec. 154-35. Each department, office and institution of the state government, other than the legislative and judicial departments thereof, shall, before any appropriation to such department becomes available for expenditure, prepare and submit to the department of finance an estimate of the amount required for each specific purpose within the appropriation, or items of appropriation, as made by the general assembly, and accounts shall be kept and reports rendered to the department of finance showing the expenditure for each such purpose. The department of finance shall exercise such control over items of appropriation accounts created by the general assembly, with respect to changes and adjustments therein within the general scope of a specific appropriation, as may be committed to it by any act making appropriations, and shall in general exercise such control over the expenditure of appropriations, in addition to that specifically provided for in this chapter, as may be so committed to it.

Estimate required by each department, office, etc., before appropriation available.

Sec. 154-36. The papers, statements and copies thereof required by section 270-6 of the General Code to be filed in the office of the president of the "Sundry Claims Board" therein provided for shall be hereafter delivered to and filed in the office of the department of finance, and such de-

Department of finance shall discharge duties imposed upon sundry claims board.

partment shall discharge all the duties provided for in said section of the General Code with respect to the filing, delivery and preservation of such papers, statements and copies thereof. The director of finance shall include all claims allowed by the "Sundry Claims Board" in the state budget estimates.

Certain powers and duties of secretary and auditor of state transferred.

Sec. 154-37. The department of finance shall succeed to and exercise all powers and perform all duties vested by sections one thousand eight hundred and forty-six and one thousand eight hundred and forty-seven of the General Code jointly in the secretary of state and the auditor of state, which said powers are hereby transferred to and vested in said department.

State purchasing agent, duties of, transferred.

The department of finance shall succeed to and exercise all powers of the state purchasing agent in the office of the secretary of state, and the secretary of state and auditor of state with respect to the purchase of supplies and equipment required for the use and maintenance of state officers, boards and commissions, the commissioners of public printing and the supervisor of public printing, and shall exercise all powers and perform all duties as to purchases heretofore vested in the Ohio board of administration under the provisions of section one thousand eight hundred and forty-nine of the General Code. Wherever powers are conferred or duties imposed upon any of such departments, offices or officers with respect to the matters and things herein mentioned, such powers and duties shall be construed as vested in the department of finance. In addition to the powers so transferred to it, the department of finance shall have power to purchase all other supplies, material and equipment for the use of the state departments, offices and institutions, excepting the military department and institutions administered by boards of trustees, and, excepting as to such department and institutions, to make contracts for and superintend the telephone and telegraph service for the state departments, offices and institutions. So far as practicable, the department of finance shall make all purchases under authority of this chapter from the department of public welfare in the exercise of the functions of said department in the management of state institutions.

Ohio board of administration, certain powers and duties of, transferred.

Purchases from welfare department.

Tax commission a part of department of finance in certain respects.

Sec. 154-38. The tax commission of Ohio shall be a part of the department of finance for administrative purposes, in the following respects: The director of finance shall be ex officio the secretary of said commission, shall succeed to and perform all of the duties of the secretary of said commission, and shall exercise all powers of said secretary as provided by law; but such director may designate any employe of the department as acting secretary to perform the duties and exercise the powers of secretary of the commission. All clerical and other agencies for the execution of the powers and duties vested in said tax commission of Ohio shall be deemed to be in the department of finance, and the employes thereof shall be deemed to be

employees in said department and shall have and exercise all authority vested by law in the employees of such commission. But the tax commission of Ohio shall have direct supervision and control over, and power of appointment and removal of, such employees whose positions shall be designated by the governor as fully subject to the authority of such commission.

## DEPARTMENT OF COMMERCE.

Sec. 154-39. The department of commerce shall have all powers and perform all duties vested in the inspector of building and loan associations, the state fire marshal, the superintendent of insurance, the state inspector of oils, and the commissioner of securities; and said department shall have all powers and perform all duties vested by law in any and all officers, deputies and employees of such offices and departments. Wherever powers are conferred or duties imposed upon any of such departments, offices or officers, such powers and duties shall be construed as vested in the department of commerce.

Department of  
commerce, pow-  
ers and duties.

There is hereby created in the department of commerce a division of banks which shall have all powers and perform all duties vested by law in the superintendent of banks. Wherever powers are conferred or duties imposed upon the superintendent of banks, such powers and duties shall be construed as vested in the division of banks. The division of banks shall be administered by a superintendent of banks, who shall be appointed by the governor by and with the advice and consent of the senate, and hold his office for a term of two years, unless sooner removed at the will of the governor. A vacancy in the office of superintendent of banks shall be filled by appointment for the unexpired term. All provisions of law governing the superintendent of banks shall apply to and govern the superintendent of banks herein provided for; all authority vested by law in the superintendent of banks with respect to the management of the department of banks heretofore existing shall be construed as vested in the superintendent of banks hereby created with respect to the division of banks herein provided for; and all rights, privileges and emoluments conferred by law upon the superintendent of banks shall be construed as conferred upon the superintendent of banks as head of the division of banks herein provided for. The director of commerce shall not impose upon the division of banks any functions other than those specified in this paragraph, nor transfer from such division any of such functions.

Division of  
banks.

The public utilities commission of Ohio shall be a part of the department of commerce for administrative purposes, in the following respects: The director of commerce shall be ex officio the secretary of said commission, shall succeed to and perform all of the duties of the secretary of said commission, and shall exercise all powers of said secretary

Public utilities  
commission a  
part of the de-  
partment of  
commerce for  
administrative  
purposes.

as provided by law; but such director may designate any employe of the department as acting secretary to perform the duties and exercise the powers of secretary of the commission. All clerical, inspection and other agencies for the execution of the powers and duties vested in the said public utilities commission shall be deemed to be in the department of commerce, and the employes thereof shall be deemed to be employes of said department and shall have and exercise all authority vested by law in the employes of such commission. But the public utilities commission shall have direct supervision and control over, and power of appointment and removal of, such employes whose positions shall be designated by the governor as fully subject to the authority of such commission.

### DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

Department of  
highways and  
public works;  
powers and  
duties.

Sec. 154-40. The department of highways and public works shall have all powers and perform all duties vested by law in the superintendent of public works, the state highway commissioner, the chief highway engineer, and the state building commission. Wherever powers are conferred or duties imposed upon any of such departments, offices or officers, such powers and duties shall, except as herein provided, be construed as vested in the department of highways and public works.

In addition to the powers so transferred to it, the department of highways and public works shall have the following powers:

(1) To prepare, or cause to be prepared, general plans, specifications, bills of materials, and estimates of cost for the public buildings to be erected by the state departments, offices and institutions. Nothing in this section shall be so construed as to require the independent employment of an architect or engineer as provided by section two thousand three hundred and fourteen of the General Code, in the cases to which said section applies.

(2) To have general supervision over the erection and construction of public buildings erected for the state government, or any department, office or institution thereof, and over the inspection of all materials previous to their incorporation into such buildings or work.

(3) To make contracts for and supervise the construction and repair of buildings under the control of the state government, or any department, office or institution thereof.

(4) To prepare and suggest comprehensive plans for the development of grounds and buildings under the control of the state government, or any department, office or institution thereof.

(5) To purchase all real estate required by the state government, or any department, office or institution thereof; in the exercise of which power such department shall



have authority to exercise the power of eminent domain, in the manner provided by law for the exercise of such power by the superintendent of public works in the appropriation of property for the public works of Ohio, as heretofore defined; but this paragraph shall not affect the manner of the exercise of such powers by the department of highways and public works for highway purposes.

(6) To make and provide all plans, specifications and models for the construction and perfection of all systems of sewerage, drainage and plumbing for the state in connection with buildings and grounds under the control of the state government, or any department, office or institution thereof.

(7) To erect, supervise and maintain all public monuments and memorials erected by the state, except where the supervision and maintenance thereof is otherwise provided for by law.

(8) To procure, by lease, storage accommodations for the state government, or any department, office or institution thereof.

(9) To lease unproductive and unused lands or other property under the control of the state government, or any department, office or institution thereof, excepting school and ministerial lands.

(10) To lease office space in buildings for the use of the state government, or any department, office or institution thereof.

(11) To have general supervision and care of store rooms, offices and buildings leased for the use of the state government, or any department, office or institution thereof.

(12) To exercise general custodial care of all real property of the state.

Nothing in this section or in sections 154-37 or 154-41 of the General Code shall interfere with the power of the adjutant general to purchase military supplies, or with the custody by the adjutant general of property leased, purchased or constructed by the state and used for military purposes, or with the functions of the adjutant general as director of state armories.

Purchases for and custody of buildings of educational institutions administered by boards of trustees shall not be subject to the control and jurisdiction of the department of highways and public works.

Sec. 154-41. The department of highways and public works shall have the supervision and control of the state house and heating plant therein, the fixing and placing of all departments and offices of the state therein, and full control and supervision of fixing and placing all departments and offices in offices, buildings and rooms outside the state house when the same cannot be placed therein, materials and persons employed in and about the state house, the grounds and appurtenances thereof and all work or materials required in or about them. The department shall rent all offices, buildings and rooms for all departments and

Supervision and control of state house and heating plant; supervision of fixing and placing departments, etc.

offices of the state located outside the state house, and execute all leases in writing for the same on behalf of the state, and deposit a copy thereof in the office of the secretary of state within ten days after the lease has been executed. The department shall keep the state house, grounds and appurtenances constantly protected and in order, except that the legislative halls shall be under the control of the general assembly. A competent number of employes of the department shall be designated as policemen, and as such shall take an oath of office, wear a proper uniform and badge of office, have the same authority to make arrests as policemen of cities, and shall deliver all persons arrested by them to the police authorities of the city of Columbus to be dealt with as those arrested by the police of said city.

#### DEPARTMENT OF AGRICULTURE.

Department of  
agriculture,  
powers and  
duties.

Sec. 154-42. The department of agriculture shall have all powers and perform all duties vested by law in the board of agriculture, the secretary of agriculture, the agricultural advisory board, the chief of the division of fish and game under the board of agriculture, and all officers and employes in such division, and in all other bureaus and offices established or authorized by law under the board of agriculture or the secretary of agriculture. Wherever powers are conferred or duties imposed by law upon such board of agriculture or secretary of agriculture, or upon bureaus or offices under either of them, such powers and duties shall be, excepting as herein provided, construed as vested in and imposed upon the department of agriculture.

#### DEPARTMENT OF HEALTH.

Department of  
health, powers  
and duties.

Sec. 154-43. The department of health shall have all powers and perform all duties vested by law in the state department of health, the commissioner of health, the public health council, or in the commissioner of health and the public health council acting jointly or otherwise, and the state inspector of plumbing; and also those vested in the secretary of state and the state registrar of vital statistics with respect to the registration of vital statistics as provided in sections one hundred and ninety-seven to two hundred and thirty-four, both inclusive, of the General Code.

Public health  
council shall  
continue.

Sec. 154-44. The public health council provided for by section one thousand two hundred and thirty-four of the General Code shall continue to exist in the department of health as hereby created, and shall exercise all powers vested in it by law, excepting those provided for in paragraph (d) of section one thousand two hundred and thirty-five of the General Code, and the director of the department shall be substituted for the "commissioner of health" for the purposes of such section. The director of health shall be chairman of the public health council.

## DEPARTMENT OF INDUSTRIAL RELATIONS.

Sec. 154-45. The department of industrial relations shall have all powers and perform all duties vested by law in the industrial commission of Ohio, excepting the following:

Department of industrial relations, powers and duties.

Those powers and duties of the commission which it exercises as successor of the state liability board of awards, the state board of arbitration, the board of boiler rules, and in the investigation, ascertainment and determination of standards, devices, safeguards, and means of protection, being all powers and duties mentioned in paragraphs 3 to 8, both inclusive, of section 871-22 of the General Code, sections 871-23, 871-26, 871-27, 871-28, 871-30, 871-32, 871-33, 871-34 and 871-35, sections 1058-8 to 1058-12, both inclusive, 1058-16, 1063, to 1077, both inclusive, and sections 1465-37 to 1465-108, both inclusive, of the General Code, and the powers of the commission as successor of the board of boiler rules under section 1058-18 of the General Code, which shall continue to be exercised and performed by the industrial commission of Ohio in the manner provided by law for the exercise of such powers and the performance of such duties.

The industrial commission of Ohio shall be a part of the department of industrial relations for administrative purposes in the following respects: The director of industrial relations shall be ex-officio the secretary of said commission, shall succeed to and perform all of the duties of the secretary of said commission, and shall exercise all powers of said secretary as provided by law; but such director may designate any employe of the department as acting secretary to perform the duties and exercise the powers of secretary of the commission. All clerical, inspection and other agencies for the execution of the powers and duties vested in the said industrial commission shall be deemed to be in the department of industrial relations, and the employes thereof shall be deemed to be employes of said department and shall have and exercise all authority vested by law in the employes of such commission. But the industrial commission of Ohio shall have direct supervision and control over, and power of appointment and removal of, such employes whose position shall be designated by the governor as fully subject to the authority of such commission.

Industrial commission, a part of department for administrative purposes.

The commission may appoint advisers, who shall without compensation assist the commission in the execution of the powers and duties retained by it under this section.

Appointment of advisers authorized.

## DEPARTMENT OF EDUCATION.

Sec. 154-46. The department of education shall have all powers and perform all duties vested by law in the industrial commission of Ohio and the board of censors of mo-

Department of education, powers and duties.

tion picture films by sections 871-48 to 871-53, both inclusive, of the General Code.

**Boards and committees attached to department.**

The following boards and committees shall be attached to the department of education:

The state board of accountancy, the state medical board, the nurses examining committee, the state board of optometry, the state board of pharmacy, the state dental board and the state board of embalming examiners.

Such boards and their officers shall continue to exercise their functions as heretofore. It shall be the duty of the department of education to recommend standards as to preliminary education; to recommend methods of determining the standard of professional schools and colleges; to recommend methods of conducting examinations and hearings; and to recommend methods of enforcing the laws which they are respectively required to administer. Such boards are hereby severally authorized to delegate to the department of education any of the powers or duties in them vested by law with respect to the matters and things concerning which the department is herein directed to make recommendations; and the department of education is hereby authorized and required to exercise any such power or perform any such duty so delegated with like effect in law as if the same had been exercised by the board so delegating such power. Nothing in this chapter shall be so construed or applied as to compel the delegation of any such powers or duties.

**Advisory board of film censorship; appointment, term, compensation.**

Sec. 154-47. An advisory board of three members is hereby created in the department of education, to be known as the advisory board of film censorship. The members of this board shall be appointed by the governor, to serve during his pleasure, and shall receive no compensation, but shall be entitled to their actual and necessary expenses incurred in the performance of their official duties. Such board shall assist and advise the department of education in the examination and censorship of motion picture films.

**Further powers and duties.**

Sec. 154-48: The department of education shall have all the powers and perform all the duties now vested in the superintendent of public instruction and those vested in the state geologist.

**State board of vocational education established; duties; employment of assistants.**

Sec. 154-49. A state board of vocational education is hereby established in the department of education, in order to carry out the provisions of the law accepting the acts of Congress providing for cooperation with the states in the promotion of such education. Such board shall be composed of the director of education, the director of commerce, the director of agriculture, the director of industrial relations, and the director of finance. The director of education shall be chairman and executive officer of the board. Upon the recommendation of the director of education, the board may employ such technical assistants as may be necessary and prescribe their duties and compensation. In all other respects, the state board of vocational education shall exercise the powers and perform the duties vested in the

state board of education by sections 367-5, 367-6 and 367-7 of the General Code.

Sec. 154-50. The director of education shall be ex-officio a member of the board of trustees of Kent state normal school and of the board of trustees of Bowling Green state normal school, and of the combined normal and industrial department at Wilberforce University, with power to speak, but not to vote in such boards of trustees. The membership in each of such boards herein provided for shall be in addition to the membership thereof as otherwise provided by law.

Director, ex-officio trustee of Kent, Bowling Green and Wilberforce schools.

Sec. 154-51. A state library board is hereby created in the department of education, to be composed of the director of education, as chairman, and four other members. The members other than the director of education shall be appointed by the governor. The first appointments under this section shall be as follows: One member for a term of two years, one member for a term of four years, one member for a term of six years and one member for a term of eight years. Thereafter one member shall be appointed each two years for a term of eight years. The members other than the director of education shall receive no compensation, but shall be paid their actual and necessary expenses incurred in the performance of their duties.

State library board created; appointment, term, compensation.

Sec. 154-52. The state library board shall appoint and may remove a state librarian, who shall, under the direction and supervision of the board, be the head of the library service of the state, with power to appoint and remove all assistants and heads of departments in the state library service.

State librarian, appointment, powers and duties.

Sec. 154-53. The state library board shall make such rules for the government of the state library, the use and location of the books and other property therein or the transfer thereof as it deems necessary or advantageous to the library service of the state. It shall organize the library service of the state into departments and determine the number of assistants and other employes therein.

Rules for government of library.

Sec. 154-54. The state librarian shall be secretary of the state library board. Under the direction and supervision of the state library board and subject to the rules and regulations established by it, the state librarian shall, through such departments as may be created by the board, exercise all powers and perform all duties vested by law in the state board of library commissioners, the librarian heretofore appointed by the state board of library commissioners, the library organizer heretofore appointed by the state board of library commissioners and the legislative reference department and the director thereof.

State librarian, secretary of board; further powers and duties.

Sec. 154-55. The director of education shall be a member of the board of trustees of the Ohio archaeological and historical society, in addition to the members constituting such board under the other laws and regulations pertaining to the membership thereof. No moneys appropriated for the use or support of the Ohio archaeological and historical

Director a member of board of trustees of Ohio archaeological and historical society.

How moneys  
for support of  
society shall be  
drawn from  
treasury.

society shall be withdrawn from the state treasury for such use until the board of trustees of said society, as constituted when this section takes effect, shall consent to the provisions hereof and file duplicate certificates of such consent in the offices of the secretary of state and the auditor of state.

Director a mem-  
ber of board of  
trustees of  
Ohio State  
University.

Sec. 154-56. The director of education shall be a member of the board of trustees of the Ohio state university, with power to speak but not to vote therein. The membership in said board hereby created shall be in addition to those provided for by section seven thousand nine hundred and forty-two of the General Code.

## DEPARTMENT OF PUBLIC WELFARE.

Department of  
public welfare,  
powers and  
duties.

Sec. 154-57. The department of public welfare shall have all powers and perform all duties vested in or imposed upon the Ohio board of administration and the fiscal supervisor-secretary thereof, excepting the power to purchase supplies for the support and maintenance of state institutions provided for in section one thousand eight hundred and forty-nine of the General Code, by this chapter transferred to the department of finance; and said department of public welfare shall also have all powers and perform all duties vested in or imposed upon the board of state charities, and the board of clemency. Wherever powers are conferred or duties imposed by law upon the boards and officers mentioned in this section such powers and duties, excepting as aforesaid, shall be construed as vested in the department of public welfare.

The department of public welfare, with the approval of the governor, may assign labor of prisoners and inmates of institutions under the administration of the department of public welfare on any public work of the state.

Board of pardon  
and parole;  
how constituted.

Sec. 154-58. The powers of this chapter transferred from the board of clemency to the department of public welfare shall be exercised within the department of public welfare by a board of pardon and parole, of three members, of which the superintendent of pardon and parole shall, under the supervision of the director, be a member and secretary. The director of public welfare shall designate two other persons within the department to serve as members of such board.

Ohio commis-  
sion for the  
blind, a part  
of department  
for administra-  
tive purposes.

The Ohio commission for the blind shall be a part of the department of public welfare for administrative purposes. The president of said commission shall act as general secretary of the commission; but the director of public welfare may designate employes of the department to assist such secretary in the performance of the detailed duties of his position. Such director shall be the executive officer of such commission, and all clerical and other administrative agencies for the execution of the powers and duties vested in the said Ohio commission for the blind shall be deemed to be in the department of public welfare, and the employes

thereof shall be deemed to be employees of said department.

SECTION 2. Sections 243, 321, 496, 710-6, 840, 1170, 1171, 1172, 1173, 1178, 1233, 1261-2, 1807, 1857, 1931-1, 2248, 2250, 2312, 2313 and 7939, inclusive, of the General Code are hereby amended to read as follows: the section enacted by the act approved March 29, 1917, and therein designated as section 2288-1 of the General Code, is hereby re-numbered as section 2288-2 of the General Code and amended to read as follows; and supplemental sections 2249-1 and 7931-1 of the General Code are hereby enacted, as follows:

Amendments  
and enactments.

Sec. 243. The auditor of state shall examine each voucher presented to him, or claim for salary of an officer or employe of the state, or per diem and transportation of the commands of the national guard, or sundry claim allowed and appropriated for by the general assembly, and if he finds it to be a valid claim against the state and legally due, and that there is money in the state treasury duly appropriated to pay it and that all requirements of law have been complied with, he shall issue thereon a warrant on the treasurer of state for the amount found due, and file and preserve the invoice in his office. He shall draw no warrant on the treasurer of state for any claim unless he finds it legal, and that there is money in the treasury which has been duly appropriated to pay it.

Examination of  
each voucher or  
claim before is-  
sue of warrant.

Sec. 321. There shall be a board of deposit, consisting of the treasurer of state, director of finance and attorney general, which officers shall perform the duties herein prescribed. The treasurer shall be chairman of said board. The cashier of the state treasury shall be the secretary to the board and shall keep its records. A duly certified copy of such records shall be prima facie evidence of the matter appearing therein in any court of record.

Board of de-  
posit; duties.

Sec. 496. It shall be the duty of the secretary of the commission to keep a full and true record of all proceedings of the commission, to issue all necessary process, writs, warrants and notices, to keep all books, maps, documents and papers ordered filed by the commission, and of all orders made by a commissioner, or by the commission, or approved and confirmed by it and ordered filed, and he shall be responsible to the commission for the safe custody and preservation of all such documents in its office. Under the direction of the commission the secretary shall have general charge of its office, superintend its clerical business and perform such other duties, as the commission may prescribe. He may administer oaths in all parts of the state, so far as the exercise of such power is properly incidental to the performance of his duty or that of the commission.

Powers and  
duties of sec-  
retary of com-  
mission.

Sec. 710-6. The governor, with the advice and consent of the senate, shall appoint the superintendent of banks in the department of commerce, who shall hold his office for the term of two years unless sooner removed at the will of the governor.

Superintendent  
of banks; ap-  
pointment, term,  
duties.

The superintendent of banks shall execute the laws in relation to banks.

Salaries and expenses of division of state fire marshal shall not exceed amount paid by fire insurance companies.

Sec. 840. The salaries, compensation of clerks and assistants and all other expenses in the division of the state fire marshal necessary in the performance of the duties imposed upon it by law, shall not exceed in any year the amount paid into the state treasury for that year by fire insurance companies as provided in the next following section, and by the state fire marshal as provided in this act.

Ohio Agricultural Experiment Station; control, management and supervision.

Sec. 1170. There shall be a state agricultural experiment station for the prosecution of practical and scientific research in agriculture and forestry and the development of the agricultural resources of the state. It shall be known as the Ohio agricultural experiment station, and shall be under the control, management, supervision and direction of a board of control, which shall consist of the director of agriculture and the members of the board of trustees of the Ohio state university.

Board of control may receive and hold in trust, grant, devise, donation or bequest.

Sec. 1171. The board of control may receive and hold in trust in the name of the state of Ohio and for the use and benefit of the Ohio agricultural experiment station a grant or devise of land or a donation or bequest of money, or other personal property, to be applied to the general or special use of the station, as directed by the donor.

Title to lands shall be conveyed in fee simple.

Sec. 1172. The title of all lands for the use of the Ohio agricultural experiment station shall be conveyed in fee simple to the state, but no title shall be conveyed for such purposes until the attorney general is satisfied that it is free from defects and encumbrances.

Powers and duties of board of control.

Sec. 1173. The board of control shall exercise all powers, and through such agency as it may select, perform such duties as are vested by any law in or imposed upon the board of control of the Ohio agricultural experiment station.

"The state board of agriculture"; qualifications, appointment, term, duties, compensation.

The governor shall appoint an advisory board, which shall be known as "the state board of agriculture" and which shall consist of ten members, who shall be practical farmers. The initial appointments hereunder shall be as follows: Two members to serve for one year, two for two years, two for three years, two for four years and two for five years. Thereafter two members shall be appointed each year for the period of five years. Such board shall advise the department of agriculture with respect to the work of that department; the board of control of the Ohio agricultural experiment station; and the department of public welfare with reference to the management of institutional farms. Such board shall exercise no administrative function and its members shall receive no compensation, but may receive their actual and necessary expenses, which shall be paid from appropriations made to the department of agriculture. This section shall not be so construed as to prevent the appointment in the department of agriculture or the department of public welfare of other advisory boards authorized by law.



Sec. 1178. The department of highways and public works shall be for the purpose of constructing, improving, maintaining and repairing a state system of highways, co-operating with the federal government in the construction, improvement, maintenance and repair of post roads or other roads designated by the federal authorities, and affording instruction, assistance and co-operation to the counties, townships and other subdivisions of the state in the construction, improvement, maintenance and repair of the public roads and bridges of the state, under the provisions of this chapter.

Purposes and duties of the department.

Sec. 1233. The commissioner of health shall perform all executive duties now required by law of the state board of health and the secretary of the state board of health, and such other duties as are incident to his position as chief executive officer. He shall administer the laws relating to health and sanitation and the regulations of the state department of health. He shall prepare sanitary regulations for consideration by the public health council and shall submit to said council recommendations for new legislation.

Commissioner of health, duties of, prescribed.

Sec. 1261-2. In the department of health there shall be such number of plumbing inspectors as the necessities of the work shall require and the appropriations for such inspections will permit. Such inspectors shall be practical plumbers with at least seven years' experience, and skilled and well trained in matters pertaining to sanitary regulations concerning plumbing work. The department of health shall have the power to make and enforce rules and regulations governing plumbing and register those persons engaged in or at the plumbing business to carry out the provisions of this act. Plans and specifications for all sanitary equipment or drainage to be installed in or for buildings coming within the provisions of this act shall be submitted to and approved by the department of health before the contract for installation of the sanitary equipment or drainage shall be let.

Plumbing inspectors; qualifications.

Rules and regulations.

Plans and specifications.

Sec. 1807. When it is necessary for a state benevolent, correctional or penal institution, or for the accomplishment of the purposes for which it was organized, or is being conducted, to acquire any real estate, right of way or easement in real estate, and the state officer or board in control thereof is unable to agree with the owner or owners thereof upon the price to be paid therefor, such property may be appropriated in the manner provided by law for the appropriation of property for other state purposes.

How board of an institution may acquire real estate.

Sec. 1857. The board may employ such mechanical engineers, superintendents and supervisors as it may deem necessary, and fix their titles and compensation which, with all necessary expenses when itemized and approved, shall be paid like other expenses of the board.

Power to employ engineers, superintendents, etc., fix titles and compensation.

Board of trustees Ohio Soldiers' and Sailors' Orphan Home; appointment, term, vacancy. Powers and duties.

Sec. 1931-1. There shall be a board known as the Board of Trustees of the Ohio Soldiers' and Sailors' Orphans' Home, who shall have charge and custody of the Ohio Soldiers' and Sailors' Orphans' Home at Xenia, Ohio, which said board shall consist of five members. The governor, with the advice and consent of the senate shall appoint the members of such board upon the passage of this act; one for five years, one for four years, one for three years, one for two years and one for one year, and thereafter each year the governor, with the advice and consent of the senate, shall appoint, for the Ohio Soldiers' and Sailors' Orphans' Home at Xenia, Ohio, one trustee, who shall serve for a term of five years from the ensuing first Monday in April. A vacancy in the office of trustee occasioned by expiration of term, removal or otherwise shall be filled in the same manner as the original appointment, and shall be for the remainder of the term. At any time the governor may remove any trustee with the advice and consent of the senate. During the recess of the senate he may suspend any trustee but shall report his action to the senate at its next session, and, if the senate so advise and consent, such trustee shall be removed, but otherwise he shall be restored to his office. The governor shall designate a person to perform the duties of the suspended trustee during such suspension. The nomination by the governor and confirmation by the senate of a person to take the place of a trustee in office, shall be a removal of such trustee.

Such board shall govern, conduct and care for such home, the property thereof and the inmates therein as provided in the laws governing "The Ohio Board of Administration" so far as the provisions thereof are not inapplicable and are not inconsistent with the provisions of the laws governing such home.

Three members of such board shall constitute a quorum but any two may approve accounts for the payment of current expenses, salaries and open contracts previously entered into by the board.

All supplies for such home shall be purchased as provided in section one thousand eight hundred forty-nine of the General Code.

Sec. 2248. The annual salaries of the elective executive officers of the state shall be as follows:

Governor, ten thousand dollars;  
Lieutenant-governor, two thousand dollars;  
Secretary of state, six thousand five hundred dollars;  
Auditor of state, six thousand five hundred dollars;  
Treasurer of state, six thousand five hundred dollars;  
Attorney general, six thousand five hundred dollars.

Sec. 2250. The annual salaries of the appointive state officers and employes herein enumerated shall be as follows:

Salaries of elective executive state officers.

Salaries of appointive State officers and employes.

**Department of Finance:**

Director of finance, six thousand five hundred dollars.

Superintendent of budget, four thousand dollars.

Superintendent of purchases and printing, five thousand dollars.

**Department of Commerce:**

Director of commerce, six thousand five hundred dollars.

Superintendent of building and loan associations, five thousand dollars.

State fire marshal, four thousand five hundred dollars.

Superintendent of insurance, five thousand dollars.

**Department of Highways and Public Works:**

Superintendent of public works as director of highways and public works, six thousand five hundred dollars.

State architect and engineer, four thousand dollars.

State highway engineer, five thousand dollars.

**Department of Agriculture:**

Director of agriculture, six thousand five hundred dollars.

Chief of division of animal industry, three thousand six hundred dollars.

Chief of division of fish and game, three thousand six hundred dollars.

Chief of division of foods and dairies, three thousand dollars.

Chief of division of plant industry, three thousand dollars.

Chief of division of state fair, three thousand six hundred dollars.

**Department of Health:**

Director of health, six thousand five hundred dollars.

**Department of Industrial Relations:**

Director of industrial relations, six thousand five hundred dollars.

Chief of division of factory inspection, three thousand six hundred dollars.

Chief of division of labor statistics, three thousand dollars.

Chief of division of mines, three thousand six hundred dollars.

**Department of Education:**

Superintendent of public instruction as director of education, six thousand five hundred dollars.

Chief of division of examination and licensing, two thousand five hundred dollars.

Chief of division of film censorship, three thousand six hundred dollars.

**Department of Public Welfare:**

Director of public welfare, six thousand five hundred dollars.

Fiscal supervisor, four thousand dollars.

Superintendent of charities, four thousand dollars.

Superintendent of pardon and parole, four thousand dollars.

Commissioner of soldiers' claims, two thousand five hundred dollars.

The assistant director of a department designated to fill one of the offices within such department for which a salary is fixed by this section shall receive the salary fixed herein for the position so held by him.

Certification of  
balance re-  
quired before  
contract.

Sec. 2288-2. It shall be unlawful for any officer, board or commission of the state to enter into any contract, agreement or obligation involving the expenditure of money, or pass any resolution or order for the expenditure of money, unless the director of finance shall first certify that there is a balance in the appropriation pursuant to which such obligation is required to be paid, not otherwise obligated to pay precedent obligations.

Emergency  
board, how  
composed.

Sec. 2312. There shall be an emergency board to consist of the governor, or a designated officer or employe, if appointed by the governor for such purpose, the chairman of the senate finance committee, and chairman of the house finance committee. The governor shall be president and the director of finance shall be secretary of the board; but the director of finance may designate an employe in his department to act as such secretary. The secretary shall keep a complete record of all its proceedings. The chairman of the senate and house finance committees shall be paid their necessary traveling expenses upon presentation to the auditor of state of an itemized account of the same, while engaged in their duties as such members, which shall be paid from the funds appropriated for the payment of expenses of legislative committees, upon vouchers approved by the auditor of state, and the auditor of state is hereby authorized to draw his warrants upon the treasurer of state therefor.

How authority  
obtained to  
make expendi-  
tures in case of  
deficiency or  
emergency.

Sec. 2313. In case of any deficiency in any of the appropriations for the expenses of an institution, department or commission of the state for any biennial period, or in case of an emergency requiring the expenditure of money not specifically provided by law, the trustees, managers, directors or superintendent of such institution, or the offi-

cers of such department or commission, may make application to the emergency board for authority to create obligations within the scope of the purpose for which such appropriations were made or to expend money not specifically provided for by law. Such applicant shall fully set forth to the secretary in writing the facts in connection with the case. As soon as can be done conveniently, the secretary shall arrange for a meeting of the board, and shall notify the applicant of the time and place of the meeting and request his presence. No authority to make such expenditures shall be granted with the approval of less than two members of the board, who shall sign it.

Sec. 7939. The government of Miami university shall be vested in twenty-seven trustees, to be appointed by the governor by and with the advice and consent of the senate. Nine trustees shall be appointed every third year, for a term of nine years, beginning on the first day of March in the year of their appointment. Vacancies in the board of trustees shall be filled for the unexpired term in the same manner. In addition to the trustees herein provided for, the director of education shall be a member of the board of trustees of Miami university, with power to speak but not to vote therein.

Appointment of trustees.

Sec. 2249-1. The adjutant general, the assistant adjutant general, and the assistant quartermaster general shall receive the pay and allowance of their rank according to those at the time prescribed for the armies of the United States.

Pay of adjutant general, assistant and quartermaster.

Sec. 7931-1. The body politic and corporate by the name and style of "The President and Trustees of the Ohio University" now in the university instituted and established in the village of Athens by the name and style of "The Ohio University" shall hereafter consist of a board of trustees composed of the director of education and seven members, at least four of whom shall be graduates of Ohio university, to be appointed by the governor, by and with the advice and consent of the senate; but all persons now serving as members of said body politic and corporate may continue to serve as members thereof; and so long as they continue to serve such body politic and corporate shall consist of such present members together with the members whose positions are hereby created; but no successors shall be appointed to such persons now serving. The director of education shall have power to speak, but not to vote in such board of trustees. In the year 1922 the governor shall appoint seven members of such body politic and corporate, one for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years, one for a term of six years and one for a term of seven years, all commencing on the fourteenth day of May of such year. Thereafter one trustee shall be appointed each year for a term of seven years from the fourteenth day of May of such year, and serve until his successor is appointed and qualified. A vacancy in the office

Appointment of trustees.

of trustee shall be filled by like appointment for the unexpired term. Such trustees shall receive no compensation for their services, but shall be paid their actual and necessary expenses while engaged in the discharge of their official duties. No moneys appropriated for the use or support of the Ohio University shall be withdrawn from the state treasury for such use until "The President and Trustees of the Ohio University," as constituted when this section takes effect, shall consent to the provisions hereof and file duplicate certificates of such consent in the offices of the secretary of state and the auditor of state.

Sections and  
acts repealed.

SECTION 3. Said original sections 243, 321, 496, 710-6, 840, 1170, (enacted as section 93 of an act entitled "An Act to create the agricultural commission of Ohio and to prescribe its organization", etc., approved May 3, 1913, (103 Ohio Laws 323), 1170, (enacted as section 1 of an act entitled "An Act to create a board of control for the Ohio agricultural experiment station", etc., approved April 8, 1915, (106 Ohio Laws, 122) ), 1171, 1172, (enacted as section 95 of an act entitled "An Act to create the agricultural commission of Ohio and to prescribe its organization", etc., approved May 3, 1913 (103 Ohio Laws, 324), 1172, (enacted as section 7 of an act entitled "An Act to create a board of control for Ohio agricultural experiment station", etc., approved April 8, 1915, (106 Ohio Laws, 123) ), 1173, (enacted as section 96 of an act entitled "An Act to create the agricultural commission of Ohio and to prescribe its organization," etc., approved May 3, 1913, (103 Ohio Laws, 324), 1173, (enacted as section 8 of an act entitled "An Act to create a board of control for the Ohio agricultural experiment station," etc., approved April 8, 1915, (106 Ohio Laws, 123) ), 1178, 1233, 1261-2, 1807, 1857, 1931-1, 2248, 2250, 2288-1 as enacted by the act approved March 29, 1917 (107 O. L. 457), 2312, 2313 and 7939 of the General Code, and sections 86, 87, 88, 89, 90, 146, 147, 148, 149, 150, 151, 152, 153, 154, 196-1, 196-2, 196-3, 196-16, 196-18, 199, 242-1, 242-2, 270-1, 270-4, 270-5, 367-3, 367-4, 403-1, 406, 408, 409, 498, 615, 616, 618, 619, 620, 674, 675, 744-14, 744-15, 744-16, 744-17, 744-19, 744-20, 744-23, 746, 747, 752, 788, 789, 790, 791, 798-2, 798-4, 798-8, 799, 800, 801, 820, 821, 822, 823, 842, 844, 845, 848, 871-46, 871-47, 905, 982, 1079, 1079-1, 1080, 1081, 1083, 1084, 1087, 1087-2, 1088, 1089, 1089-1, 1099, 1123, 1171-2, 1171-3, 1177-22, 1177-23, 1177-24, 1177-25, 1179, 1180, 1183, 1232-1, 1233-1, 1236-2, 1261-1, 1440, 1465-8, 1465-43, 1808, 1809, 1833, 1834, 1836, 1837, 1841-7, 1861 and 5227 of the General Code are hereby repealed.

Employees in  
classified serv-  
ice shall be as-  
signed in proper  
department.

SECTION 4. Every officer and employe in the classified civil service of the state civil service at the time this act takes effect shall be assigned to a position in the proper department created by this act, and, so far as possible, to duties equivalent to his former office or employment; and such officers and employes shall be employes of the state in the classified civil service of the state of the same standing,

grade and privileges which they respectively had in the office, board, department, commission or institution from which they were transferred, subject, however, to existing and future civil service laws. This section shall not be construed to require the retention of more employes than are necessary to the proper performance of the functions of such departments.

All books, records, papers, documents, property, real and personal, and pending business in any way pertaining to the rights, powers and duties by this act transferred to or vested in a department created by this act, or to or in any other office, department or institution, at the time this act takes effect shall be delivered and transferred to the department, office or institution succeeding to such rights, powers and duties.

Transfer of books, records, papers, property, etc.

This act shall not affect any act done, ratified or affirmed, or any right accrued or established, or any pending action, prosecution or proceedings, civil or criminal, at the time it takes effect; nor shall this act affect causes of such action, prosecution or proceeding existing at the time it takes effect; but such actions, prosecutions or proceedings may be prosecuted and continued, or instituted and prosecuted, by or before the department having jurisdiction or power under this act of the subject matter to which such action, prosecution or proceeding pertains.

Acts done, rights established, etc., shall not be affected.

If the senate is not in session at the time initial appointments are to be made under this act, the governor shall make temporary appointments as in case of a vacancy, to all offices required by this act to be filled by appointment by the governor by and with the advice and consent of the senate, unless the initial appointments are otherwise provided for in this act.

Temporary appointments.

If this act shall go into effect prior to the expiration of the present fiscal year, the present existing departments, bureaus, offices, boards, commissions, and other organizations of the state government affected by this act shall continue, and the officers and employes therein shall continue to serve until the expiration of the present fiscal year for which appropriations have been made, unless their terms of office expire prior thereto; and the reorganization herein provided for shall be put into effect and the officers whose positions are hereby created shall assume their duties at the commencement of the succeeding fiscal year.

Present boards, departments, etc., shall continue to end of fiscal year.

SECTION 5. This act is hereby declared to be an emergency law necessary for the immediate preservation of the public peace, health and safety. The reasons for such necessity lie in facts, which two-thirds of all the members elected to each branch of the general assembly have considered, found and determined and which are separately set forth herein, as follows:

Emergency act. Committee to make investigation by 83rd General Assembly.

The eighty-third general assembly created a joint legislative committee to "investigate all of the \* \* \* offices which have been created by the general assembly \* \* \* with a view of \* \* \* combining and centralizing the

duties of the various departments, eliminating such as are useless and securing for the state of Ohio such a reorganization of its governmental activities as will promote greater efficiency and greater economy therein." Said committee made exhaustive investigations and published numerous reports, declaring the necessity of reorganizing fundamentally the executive branch of the state government in order to promote efficiency and conserve the public funds. Upon the organization of the eighty-fourth general assembly, special committees were appointed in each house thereof to consider the recommendations of the former joint committee. The governor, in his message to the general assembly, recommended action along the general lines indicated by the former committee's report. Wide publicity has been given to various projected plans of reorganization.

Shrinkage of  
general revenue  
fund.

According to the annual reports of the auditor of state, the balances subject to draft in the general revenue fund of the state, from which many of the activities of the state government are supported, had shrunk from more than two million dollars on June 30th, 1919, to less than one million dollars on June 30th, 1920, (all of which, and more, was covered by unexpired appropriations for the preceding fiscal year), clearly indicating the immediate necessity either for increasing the revenues of the state, or for effecting such a reorganization of the state administration as would tend to conserve the present revenues. General economic conditions make increased taxes highly undesirable at the present time.

Vacancies in  
offices.

At the convening of the eighty-fourth general assembly numerous vacancies existed in various state offices and in various state boards, and other like vacancies have occurred since that time. By reason of the known probability of a reorganization such as is embodied in this act, persons appointed to fill such vacancies have uncertain tenure and are thereby deterred from initiating and carrying through definite administrative policies; and in several instances such appointments have been accepted temporarily only, pending early reorganization.

Demoralization  
in departments.

As a result of all the foregoing, the state service in the appointive state departments, shown by said investigations to be wasteful and inefficient, is becoming increasingly demoralized. All of these departments exercise functions pertaining to the protection of the public health, the conservation of the public peace and morals, or the promotion of the public safety. The necessity of placing their functions upon a sound, economical, permanent and secure basis is great and immediate.

Appropriations  
for current ex-  
penses.

The appropriations for the current expenses of the state government and institutions which must be made by the eighty-fourth general assembly for the fiscal biennium beginning July 1st, 1921, cannot be effectually apportioned nor their amounts fixed unless the reorganization effected by this act is operative during the period to be covered by such appropriations, so that the departments and offices



of the state government are definitely determined; and such determination must be made and the framework of the executive branch of the state government must be definitely established and known at the time the general assembly is considering such appropriations.

Therefore, this act shall go into immediate effect.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*

The sectional numbers in this act are in conformity to the General Code.  
 JOHN G. PRICE,  
*Attorney General.*

Passed April 19, 1921.

Approved April 26, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

70 G.

[House Bill No. 207.]

## AN ACT

To regulate the administration and sale of tuberculin.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1114-1.

SECTION 1. It shall be unlawful for any person, other than a licensed graduate veterinarian who is approved by the state bureau of live stock industry and United States bureau of animal industry to administer tuberculin to cattle in Ohio.

Who may administer tuberculin.

Sec. 1114-2.

SECTION 2. It shall be unlawful to sell, offer for sale or give away any tuberculin in Ohio without a permit from the state veterinarian. All persons, firms or corporations desiring to introduce or distribute tuberculin in Ohio must make written application to the state veterinarian for a permit to do so. Such permits shall be issued only on the condition that each sale of tuberculin must be made to veterinarians approved by the state and a monthly report of all such sales showing date of each sale, amount of tuberculin and name and address of the veterinarian receiving the same shall be made to the state veterinarian on forms provided for that purpose. Failure on the part of any person, firm or corporation to comply with the conditions under which the permit is issued shall be considered sufficient cause for revoking the permit.

Unlawful to sell, etc., without permit; issue of permit.

Sec. 1114-3.

SECTION 3. It shall be deemed unlawful for any person other than a veterinarian approved by the state or a person, firm or corporation having a permit from the state veterinarian, to have tuberculin in his or her possession.

Possession without permit unlawful.

Sec. 1114-4.

SECTION 4. Any person, firm or corporation, violating any of the provisions of section 1 of this act, shall be pun-

Penalty

ished by a fine of not less than fifty nor more than two hundred dollars.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 5, 1921.  
Approved April 26, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of April, A. D. 1921.

71 G.

[Amended Senate Bill No. 165.]

## AN ACT

To make supplementary appropriations for the remainder of the current fiscal year.

*Be it enacted by the General Assembly of the State of Ohio:*

Supplementary appropriations.

SECTION 1. The sums set forth in sections 2 and 3 of this act, in the columns therein designated "Appropriations" are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations enumerated in such sections for department, boards, commissions, bureaus, institutions and offices, for the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, in so far as such funds are subject by law to appropriation and expenditure for the purposes therein mentioned, and to the extent that the monies to the credit of such specific funds on the date of the passage of this act, or which may be credited thereto prior to June 30, 1921, shall be sufficient to satisfy such appropriation.

SECTION 2. The following sums shall not be expended to pay liabilities incurred subsequent to June 30, 1921:

### SECTION 3. Items Appropriations.

#### State Auditor's Department.

#### Bureau of Inspection and Supervision of Offices—

##### F 6. Transportation—

Ackerman, G. F.....	\$4 99
Albright, O. O.....	2 95
Barrere, G. W.....	28 66

Bowen, W. F.....	10 76	Supplementary appropriations.
Bowles, T. A.....	68	
Bowman, C. M.....	12 84	
Brotton, C. E.....	11 94	
Churchill, C. E.....	6 82	
Coe, M. A.....	13 35	
Davies, T. L.....	6 37	
Davis, C. C.....	13 79	
Defenbacher, H. D.....	2 52	
Erb, Allen H.....	3 14	
Evans, W. M.....	3 91	
Ferguson, J. T.....	6 70	
Foster, A. H.....	7 00	
Fox, U. L.....	4 90	
Galleher, E. C.....	69	
Green, F. D.....	3 65	
Godfrey, C. P.....	2 95	
Hall, E. E.....	8 90	
Heck, W. E.....	13 07½	
Heeter, D. O.....	24 85	
Hensel, E. L.....	13 05	
Hoegner, J. E.....	5 31	
Householder, F. P.....	4 54	
Howell, J. M.....	39 96	
Ireland, R. C.....	1 55	
Jenkins, M. H.....	10 66	
Jones, T. W.....	4 87	
Kennedy, H. H.....	4 43	
Koehl, E.....	11 72	
Leverett, W. L.....	10 59½	
Lippincott, C. E.....	25 33	
Lippincott, R. L.....	14 79	
McCollister, A.....	1 15	
Main, J. N., Jr.....	1 96	
Moriarty, E. A.....	10 23	
Moul, Aaron.....	19 53	
Murray, P. R.....	6 07½	
Ogden, P. G.....	1 00	
Ott, E. J.....	10 77	
Parmelee, F. A.....	4 01	
Parrott, E. K.....	3 10	
Patterson, J. E.....	11 78	
Patterson, M. K.....	9 25	
Peake, Albert.....	1 86	
Peake, Chas. N.....	1 37½	
Thatcher, N. A.....	4 10	
Thomas, F. B.....	15 55	
Vance, B. B.....	5 46	
Young, I.....	6 40	

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\$455 81

Supplementary  
appropriations.

Secretary of State Department.

Automobile Division—

A 1. Salaries .....	\$4,986 69
A 2. Wages .....	21,517 24
Total .....	26,503 93

SECTION 4. Sections 4, 6, 7, 8, 9 and 11, of a law entitled "An Act to make general appropriations" (108 O. L. page 733) passed by the 83rd General Assembly and filed in the office of the Secretary of State, June 30, 1919, shall apply to and govern the appropriations made herein with the same force and effect as to the appropriations made to said original act hereinbefore cited.

This act is not  
of a general and  
permanent na-  
ture, and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BETHAM,  
*Speaker of the House of Representatives.*

Passed March 30, 1921.

Approved April 26, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 26th day of April, A. D. 1921.

72 G.

[Amended Senate Bill No. 149.]

AN ACT

To supplement the law which created a hotel division in the office of the state fire marshal by the addition of supplementary sections 843-1a and 843-1b of the General Code, providing against false registration.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 843-1 of the General Code be supplemented by adding sections 843-1a and 843-1b to read as follows:

Registration at  
hotel by false  
name, unlawful;  
penalty.

Sec. 843-1a. Whoever registers for accommodations at any hotel by a false, fictitious or assumed name without first making known to the person in charge thereof his true name shall for the first offense be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00); and for a second or subsequent offense shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) and imprisoned not more than six months, or both.

Sec. 843-1b. Any person employed by or connected with the management of a hotel, having knowledge of a false, fictitious or assumed name being registered at the hotel, and who fails, refuses or neglects to furnish information in relation thereto at any court of competent jurisdiction when called upon to do so, shall be punished as set forth in the foregoing section.

Failure of employee having knowledge to give information, unlawful.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 21, 1921.  
Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

73 G.

[House Bill No. 341.]

## AN ACT

To provide for the incorporation of associations not for profit either with or without capital stock, composed of honorably discharged soldiers or sailors who have served in any war in which the United States has participated, and fixing the fee to be charged by the secretary of state therefor.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 8625-1.

SECTION 1. Any five or more honorably discharged soldiers or sailors who have served in any war in which the United States has participated, may organize a corporation not for profit, under the general corporation laws of the state of Ohio, for the purpose of perpetuating American ideals, of encouraging, promoting and unifying the interests of, and work among the veterans of the Army and Navy of the United States and its Allies, and providing means and facilities for such purpose or purposes, by acquiring by purchase, lease or otherwise, real estate for a club house, and educational and recreational grounds, buildings and equipment, and owning, improving, holding, operating and disposing of the same for the accommodation, convenience, pleasure and entertainment of said veterans, and providing funds for the acquisition and operation of said buildings, grounds and equipment, and for the carrying on of said work, or for any one or more of the above purposes.

Soldiers or sailors may form corporation not for profit.

Such corporation may be organized with or without capital stock and the fee to be charged by the secretary of state upon the filing of such articles of incorporation shall

Corporation with or without capital stock; fee..

be two dollars if such corporation shall have no capital stock and twenty-five dollars if such corporation shall have capital stock, irrespective of the amount thereof.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 20, 1921.

Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

74 G.

[Amended Substitute Senate Bill No. 22]

## AN ACT

To supplement sections 1851 and 7848 of the General Code by the enactment of supplemental sections 1851-1, 1851-2 and 1851-3 and 7848-1, and to repeal section 7852-1 as passed May 10, 1919, and approved June 5, 1919 (Ohio Laws 108 v. Pt. 1, p. 686) relating to the professional qualifications of teachers at the state institutions, the approval of courses of instruction and the inspection of such institutions by the superintendent of public instruction.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1851 and 7848 of the General Code be supplemented by the enactment of additional sections 1851-1, 1851-2, 1851-3 and 7848-1, to read as follows:

Qualifications of teachers at state institutions.

Sec. 1851-1. All teachers who are employed or who shall hereafter be employed in any benevolent, correctional or penal institution of the state, except the State School for the Deaf and the State Institution for Feeble-minded, shall on and after September 1st, 1923, possess such teachers' certificates or have such qualifications and approval as the superintendent of public instruction after conference with the officers in charge of the several institutions may prescribe for the various particular types of service or service in the particular institutions.

Approval of course of study by superintendent.

Sec. 1851-2. The courses of study for the instruction and training of all persons in the benevolent, correctional or penal institutions shall be subject to the approval of the superintendent of public instruction.

Inspection of institutions by superintendent.

Sec. 1851-3. The superintendent of public instruction shall inspect personally or by deputy at least annually all institutions under the control of the board of administration which employ teachers, and shall make a report on the teaching, discipline and school equipment in these institutions to the proper managing board and to the governor.

Sec. 7848-1. City and county boards of examiners may upon proper examination issue certificates valid to teach special classes for the deaf, feeble-minded, backward, and the like, but such applicants must have all necessary and legal qualifications for elementary teachers and in addition such qualifications in such special studies as may be prescribed by the superintendent of public instruction.

Certificates by city and county boards to teach special classes for deaf, backward, etc.

SECTION 2. That section 7852-1 of the General Code as passed May 10, 1919, and approved June 5, 1919, (108 v. Pt. 1, p. 686) be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICH,  
*Attorney General.*

Passed April 26, 1921.  
Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

75 G.

[House Bill No. 277.]

## AN ACT

To amend section 2249 of the General Code, relative to salaries of deputies of elective state officers.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2249 of the General Code be amended to read as follows:

Sec. 2249. The annual salaries of the appointees herein enumerated of elective state officers shall be as follows:

Annual salaries of appointees of elective state officers.

Secretary to the governor, five thousand dollars; executive clerk to the governor who shall also be veto clerk, three thousand dollars;

Assistant secretary of state, three thousand dollars; state registrar of vital statistics, two thousand dollars;

Deputy auditor of state, four thousand five hundred dollars; deputy inspectors and supervisors of public offices, each, four thousand dollars;

Cashier of state treasury and secretary of depository commission, four thousand five hundred dollars;

First assistant attorney general, four thousand five hundred dollars; second assistant attorney general, three thousand dollars; chief clerk to the attorney general, one thousand five hundred dollars.

SECTION 2. That original section 2249 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 19, 1921.

Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

76 G.

[House Bill No. 96.]

## AN ACT

To amend section 9149-1 of the General Code, relating to brakes on urban, interurban or street cars.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 9149-1 of the General Code be amended to read as follows:

Air brakes required on urban and interurban cars.

Sec. 9149-1. That from and after January 1, 1924, it shall be unlawful in the state of Ohio, for any corporation, company, person or persons owning or controlling the same, to operate, use or run or permit to be run, used or operated for carrying passengers or freight on an urban or interurban railroad or street car line, any car propelled by electricity, or any car, cars or train of cars drawn by any car or cars propelled by electricity not equipped, in addition to the hand brake in use on such car, cars or train of cars with an air or electric power brake so that the same can be operated and controlled by the motorman in charge of and operating such car, cars or train of cars.

It shall be the duty of the public utilities commission of Ohio to enforce this act.

SECTION 2. That said original sections 9149-1 and 9149-2, of the General Code be, and the same are hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 20, 1921.

Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

77 G.



[House Bill No. 319.]

## AN ACT

To appropriate the sum of two thousand and fifty-nine dollars and fifty-two cents for the use of the Foss-Agen-Meyer Post of the American Legion at Ada, Ohio, for moneys paid into the state treasury prior to 1917.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. There is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund and not otherwise appropriated, the sum of two thousand and fifty-nine dollars and fifty-two cents for the use of the Foss-Agen-Meyer Post of the American Legion at Ada, Ohio, such being a virtual refunder of moneys paid into the state treasury by the members of the National Guard companies with headquarters at Ada, Ohio, prior to April 6, 1917, the membership of which companies is practically identical with that of the above named post of the American Legion.

Foss-Agen-Meyer Post of American Legion, Ada, Ohio, appropriation for.

SECTION 2. The auditor of state is hereby authorized and directed to issue his warrant for the amount herein appropriated in favor of the duly elected treasurer of the Foss-Agen-Meyer Post to be used for the construction of a permanent headquarters for such post.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

Passed April 19, 1921.  
Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

78 G.

[House Bill No. 54.]

## AN ACT

To prevent tampering with and changing signals and other safety devices on common carriers.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 12560-1.

SECTION 1. That it shall be unlawful for any person to injure, destroy or interfere in any manner with the proper and efficient operation of any brake, air brake, coupler, grab iron, handhold, drawbar or any other safety device used on any common carrier or to steal, remove, injure,

Tampering with brake, coupler safety device, etc., unlawful.

destroy or otherwise interfere with any part of any engine, car or safety device used by any common carrier, in such manner as to cause danger to life and property in the operation of such engine, car or device.

**Sec. 12560-2.**

Injuring or destroying wires, signal device, etc., unlawful.

SECTION 2. It shall be unlawful for any person to injure or destroy any signal wire, light, telephone, telegraph or other device for signaling in use by any common carrier or any other apparatus connected with the same or to tamper with the same in any manner and it shall be unlawful for any person in charge of or operating any such signaling device to give any signals with any such device with intent to bring any railway employe, engine, or train into danger.

**Sec. 12560-3.**

Penalty.

SECTION 3. Whoever violates any provision of this act or being a manager or owner of any such common carrier shall knowingly order or permit any violation of this act shall be guilty of a misdemeanor and on conviction shall be fined not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) dollars to which may be added imprisonment for not less than thirty days nor more than six months.

The sections' numbers on the margin here are designated as provided by law.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 21, 1921.  
Approved May 4, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 4th day of May, A. D. 1921.

79 G.

[House Bill No. 204.]

**AN ACT**

To amend section 6212-18 of the General Code, to limit the jurisdiction granted in sections 1558-41, 1558-43, 1558-55a, 1579-86, 1579-126a, 1579-230, 1579-273, 1579-293, 1579-366, 1579-413, 1579-454, 1579-496, and 1579-513 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 6212-18 of the General Code be amended to read as follows:

Jurisdiction of courts.

Sec. 6212-18. Any justice of the peace, mayor, municipal or police judge, probate or common pleas judge within the county with whom the affidavit is filed charging a violation of any of the provisions of this act, when the offense is alleged to have been committed in the county in which such mayor, justice of the peace, or judge may be

sitting, shall have final jurisdiction to try such cases upon such affidavits without a jury, unless imprisonment is a part of the penalty, but error may be prosecuted to the judgment of such mayor, justice of the peace, or judge as herein provided. And in any such cases where imprisonment is not a part of the penalty, the defendant cannot waive examination nor can said mayor, justice of the peace, or judge recognize such defendant to the grand jury; nor shall it be necessary that any information be filed by the prosecuting attorney or any indictment be found by the grand jury. The officers named herein shall have authority to issue search warrants as provided for in section 6212-16 of the General Code, and the jurisdiction granted herein shall be coextensive with the county, whether or not within the county there is a municipality having a municipal court.

SECTION 2. That original section 6212-18 of the General Code and sections 1558-41, 1558-43, 1558-55a, 1579-86, 1579-126a, 1579-230, 1579-273, 1579-293, 1579-366, 1579-413, 1579-454, 1579-496 and 1579-513 of the General Code in so far as they are inconsistent with this act are hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 21, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

80 G.

[House Bill No. 194.]

## AN ACT

To provide for the furnishing and maintaining of graves for honorably discharged soldiers, sailors, marines and nurses.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 2949-2.

SECTION 1. That the board of county commissioners of any county and township trustees and councils of cities and villages, located in any county, are hereby empowered and authorized to enter into contracts with cemetery associations providing for the purchasing and maintaining in cemeteries within any such county, of plots of ground for the burial of honorably discharged soldiers, sailors, marines and nurses who have been in the service of the

Furnishing and maintaining graves for soldiers, sailors, etc.

United States in time of war. The purchase price and maintenance cost of all such burial plots shall be paid from the treasury of the county, township or municipality contracting for same.

**Sec. 2949-3.**

Plots open for burial on application.

SECTION 2. Any such plots owned or maintained by any county, township or municipality shall be open for the burial of the body of any such deceased soldier, sailor, marine or nurse on application to the county, township or municipality owning or maintaining the same, by a relative of such decedent, or other proper person.

**Sec. 2949-4.**

Burial in cemetery not provided with plot.

SECTION 3. In case it is desired to bury the body of any such deceased soldier, sailor, marine or nurse in any cemetery not provided with a plot as aforesaid, the board of county commissioners, any board of township trustees or the council of any municipality in the county in which such cemetery is situated are hereby authorized and empowered to purchase a space for the grave of such soldier, sailor, marine or nurse and to provide for caring for same, paying the amount of such purchase price and maintenance cost from the funds in the treasury of such county, township or municipality.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 26, 1921.

Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

81 G.

[Substitute Senate Bill No. 160.]

## AN ACT

To change the existing method of levying and distributing school taxes by the state and to clarify laws relating to local taxation for school purposes and to those ends to amend sections 5649-3a, 7575, 6350, 7595, 7596, 7597, 7600 and 7603, General Code, and to repeal sections 251, 7582, 7591, 7592, 7593, 7594, 7595-5 and 7804, General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 5649-3a, 7575, 6350, 7595, 7596, 7597, 7600 and 7603 of the General Code be amended to read as follows:

When tax levies shall be made.

Sec. 5649-3a. On or before the first Monday in June, each year, the county commissioners of each county, the council of each municipal corporation, the trustees of each

township, each board of education and all other boards or officers authorized by law to levy taxes, within the county, except taxes levied by the state or for state purposes, shall submit or cause to be submitted to the county auditor an annual budget, setting forth in itemized form an estimate stating the amount of money needed for their wants for the incoming year, and for each month thereof. Such annual budgets shall specifically set forth:

Annual budgets; what shall be specifically set forth.

(1) The amount to be raised for each and every purpose allowed by law for which it is desired to raise money for the incoming year.

(2) The balance standing to the credit or debit of the several funds at the end of the last fiscal year.

(3) The monthly expenditures from each fund in the twelve months and the monthly expenditures from all funds in the twelve months of the last fiscal year.

(4) The annual expenditures from each fund for each year of the last five fiscal years.

(5) The monthly average of such expenditures from each of the several funds for the last fiscal year, and also the total monthly average of all of them for the last five fiscal years.

(6) The amount of money received from any other source and available for any purpose in each of the last five fiscal years, together with an estimate of the probable amount that may be received during the incoming year from such source or sources.

(7) The amount of the bonded indebtedness, setting out each issue and the purpose for which issued, the date of issue and the date of maturity, the original amount issued and the amount outstanding, the rate of interest, the sum necessary for interest and sinking fund purposes, and the amount required for all interest and sinking fund purposes for the incoming year.

(8) The amount of all other indebtedness incurred, with a statement of the sections under which such indebtedness was incurred, and the amount of such additional taxes as may have been authorized as provided in section 5649-5 or 5649-4 or any other section of the General Code under which taxes have been levied outside of usual tax limitations or by a vote of the people, setting out in detail each item of indebtedness as provided in the next preceding paragraph and giving the details as to dates of such levies, their rates and the periods for which they run.

(9) Such other facts and information as the tax commission of Ohio or the budget commissioners may require.

The aggregate of all taxes that may be levied by a county, for county purposes, on the taxable property in the county on the tax list, shall not exceed in any one year three mills. The aggregate of all taxes that may be levied by a municipal corporation on the taxable property in the corporation, for corporation purposes, on the tax list, shall not exceed in any one year five mills. The aggregate of all

Maximum tax levies; county, township, municipality and school district.

taxes that may be levied by a township, for township purposes, on the taxable property in the township on the tax list, shall not exceed in any one year one and five-tenths mills. The local tax levy for school purposes shall not exceed in any one year three mills on the dollar of valuation of taxable property in any school district. Such limits for county, township, municipal and school levies shall be exclusive of any special levy provided for by a vote of the electors, any levy excepted from the limitation provided for in section 5649-2 of the General Code or authorized by said section or by any other provision of law to be made in addition to the limitation provided for in said section; nor shall such limits include special assessments, levies for road taxes that may be worked out by the taxpayers, and levies and assessments in special districts created for road or ditch improvements, over which the budget commissioners shall have no control.

When budget shall be made.

Such budget shall be made up annually at the time or times now fixed by law when such boards or officers are required to determine the amount in money to be raised or the rate of taxes to be levied in their respective taxing districts.

Blank forms furnished by county auditor.

The county auditor shall provide and furnish such boards and officers blank forms and instructions for making up such budgets.

Tax levy for state common school fund; additional for county.

Sec. 7575. For the purpose of affording the advantages of a free education to all the youth of the state, there shall be levied annually a tax of fifteenth hundredths of one mill on the grand list of the taxable property of the state, to be collected as are other state taxes and the proceeds of which shall constitute the "educational equalization fund," and an additional tax of two and sixty-five hundredths mills, the proceeds of which shall be retained in the several counties for the support of the schools therein.

Peddlers license fees credited to general fund.

Sec. 6350. Peddlers license fees shall be credited at the time of semi-annual settlements to the general county fund of the county in which collected.

Equalization fund administered by superintendent; application for participation; inspection.

Sec. 7595. The superintendent of public instruction shall administer the educational equalization fund for the equalization of educational advantages throughout the state. The board of education of any school district may at any time between the first Monday in September and the first day of October of any year apply to the superintendent of public instruction for participation in such fund. Such application shall be made in such form and shall set forth such information as the said superintendent shall prescribe. If it appears from such application that the revenue resources of the district are insufficient to enable the applicant board to conduct the schools thereof without participation in such fund, the said superintendent shall cause an inspection of the schools of the district and the accounts of the applicant board to be made. Upon such examination the superintendent of public instruction shall ascertain whether or not the proportion of pupils to teachers

in the district is reasonable and proper, having regard to the topography and population of the district; whether the schedule of salaries paid to teachers is reasonable, whether the budget of contingent expenses and building enterprises is commensurate with the actual needs of the district; and whether the revenue resources of the district have been exhausted.

Sec. 7596. If, upon such examination, the superintendent of public instruction is satisfied that any adjustments or changes in local school policy and administration should be made as a condition of participation in the educational equalization fund, he may order such adjustments and changes to be made. For this purpose he shall have power to order any local board of education or any county board of education to exercise any power of whatsoever character in them vested by law, and such order shall be complied with forthwith, as a condition precedent to any participation in such fund. If the additional levy provided for by sections 5649-4, 5649-5 and 5649-5a of the General Code has not been submitted to the electors, such order shall direct such submission for such number of years as the superintendent may deem best and for such number of mills, within the limitations imposed by said sections, as may be required in order to meet the financial needs of the district, or to exhaust its revenue resources; and if such submission is not made, or if the electors of the district do not approve the additional levy so submitted, the district shall not participate in such fund.

Adjustments  
and changes;  
power to order  
submission of  
question.

Sec. 7597. After his orders have been complied with, the superintendent of public instruction shall ascertain the probable amount required to supplement the revenues of such district in order to enable the board of education thereof to conduct the schools of the district, and he shall certify the same to the auditor of state. He shall thereafter from time to time, within the amount so ascertained, and so long as his orders are complied with draw his vouchers on the auditor of state for such sums as may be actually needed by such district. The auditor of state shall issue his warrants therefor payable out of the educational equalization fund.

When state aid  
available.

Sec. 7600. After each semi-annual settlement with the county treasurer each county auditor shall immediately apportion school funds for his county. Each city school district and each exempted village school district shall receive the full amount of the proceeds of the levy of two and sixty-five hundredths mills provided in section 7575, General Code, in the given school district. The proceeds of such levy upon property in the territory of the county outside of city and exempted village school districts shall be apportioned to each school district and part of district within the county outside of city and exempted village school districts on the basis of the number of teachers and other educational employees employed therein, and the expense of transporting

Apportionment  
of school fund  
by county au-  
ditor; distribu-  
tion.

pupils as shown by the reports required by law, and the balance according to the ratio which the aggregate days of attendance of pupils in such districts, respectively, bears to the aggregate days of attendance of pupils in the entire county outside of exempted village and city school districts.

**Distribution to teachers and employees.**

The annual distribution attributable to teachers and employees shall be according to the following schedule: thirty-seven and one-half per centum of the salary of each teacher or educational employee receiving a salary of not less than eight hundred dollars and a like percentage of the compensation paid to each person giving instruction in trade or technical schools, extension schools, night schools, summer schools and other special school activities, but not to exceed nine hundred dollars for any teacher or educational employee or other such person. In the case of a superintendent under the provisions of section 4740 distribution shall be made of the given per centum multiplied by a fraction which represents the part of his working time not given to supervisory duties.

The annual distribution attributed to expense of transportation of pupils shall be fifty per centum of the personal service expense incurred in such transportation.

**When district shall receive portion of funds.**

No school district shall be entitled to receive any portion of the said funds in any year until the reports of numbers, salaries and qualifications of teachers employed and aggregate days of attendance and expense of transportation of pupils have been made as required by law. The school tax levied by boards of education and collected from the several districts or parts of districts in the county shall be paid to the districts from which it was collected.

**Apportionment of state common school fund to districts.**

Money received from the state on account of interest on the common school fund shall be apportioned to the school districts and parts of districts within the territory designated by the auditor of state as entitled thereto on the basis of the total enumeration of youth of school age in each whole district entitled thereto, and the enumeration of youth of school age residing in parts of districts so entitled, and all other money in the county treasury for the support of common schools and not otherwise appropriated by law, shall be apportioned annually to the school districts and parts of districts in the county in the proportions in which such districts and parts of districts are entitled to share in the distribution of the levy of two and sixty-five hundredths mills provided in section 7575 of the General Code.

**What certificate of apportionment must show.**

Sec. 7603. The certificate of apportionment furnished by the county auditor to the treasurer and clerk of each school district must exhibit the amount of money received by each district from the state, the amount received from any special tax levy made for a particular purpose, and the amount received from local taxation of a general nature. The proceeds of the levy of two and sixty-five hundredths mills, under section 7575, General Code, shall be employed only for the payment of salaries of superintendents and teachers and other educational employees and the transpor-



tation of pupils. Funds received from special levies must be designated in accordance with the purpose for which the special levy was made and be paid out only for such purpose, except that, when a balance remains in such fund after all expenses incident to the purpose for which it was raised have been paid, such balance will become a part of the contingent fund, and the board of education shall make such transfer by resolution. Funds received from the local levy for school purposes must be designated so as to correspond to the particular purpose for which the levy was made. Moneys coming from sources not enumerated herein except for tuition of children of non-residents shall be placed in the contingent fund.

SECTION 2. That sections 251, 7591, 7592, 7593, 7594, 7595-5, and 7804, and original sections 5649-3a, 7575, 7582, 6350, 7595, 7596, 7597, 7600 and 7603 of the General Code be, and the same are hereby repealed.

SECTION 3. This act shall take effect upon and with respect to the making of tax levies for the year nineteen hundred and twenty-two on the tax list made up in the year nineteen hundred and twenty-one, and all official acts with respect to such tax levies shall be governed thereby. This act shall not affect the distribution of taxes heretofore levied and in process of collection, nor the distribution of the reserve in the state common school fund provided for by any law in force when this act takes effect, nor the distribution of income from school lands or interest on the common school fund for and on account of the school year ending in the year nineteen hundred and twenty-one, but any taxes heretofore levied for the state common school fund under section 7575 of the General Code and now in process of collection which shall become delinquent and be collected after the August settlement in the year 1921 shall when collected be credited to the educational equalization fund.

Repeals.

When act shall take effect.

Distribution of taxes heretofore levied not affected.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 27, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May A. D., 1921.

82 G.

[House Bill No. 172.]

## AN ACT

To supplement section 3007 of the General Code by supplemental section 3007-1, relating to appointment of assignment commissioner.

*Be it enacted by the General Assembly of the State of Ohio:*

Assignment  
commissioner  
provided in  
certain coun-  
ties; term.

Sec. 3007-1. When in his opinion the business requires it, the court of common pleas of any county in this state, having not more than one common pleas judge, and having a population of 80,000 or more as shown by the last federal census with the consent of the county commissioners, may appoint an assignment commissioner whose duty it will be to make assignments of cases to be tried in said court, under the direction of the judge holding such court. Said official assignment commissioner shall hold office during the pleasure of the court making the appointment and shall receive such salary as may be fixed by the court making the appointment, not exceeding eighteen hundred dollars per year, payable monthly.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 26, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 6th day of May, A. D. 1921.

83 G.

[House Bill No. 104.]

## AN ACT

To amend section 13376 of the General Code, relative to the length of time livestock may be detained in railroad cars without being given food and water.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 13376 of the General Code be amended to read as follows:

Failure to treat  
animals prop-  
erly; penalty.

Sec. 13376. Whoever overworks, overdrives, overloads, tortures, deprives of necessary sustenance, unnecessarily or cruelly beats, needlessly mutilates or kills, or impounds or confines an animal and fails to supply it during such confinement with a sufficient quantity of good, wholesome food and water, or carries or conveys it in a cruel or inhuman manner or keeps cows or other animals in an enclosure without wholesome exercise and change of air,

or feeds cows on food that produces impure or unwholesome milk, or abandons to die an old, maimed, sick, infirm or diseased animal or works it, or being a person or corporation engaged in transporting live stock, detains such stock in railroad cars or compartments longer than twenty-eight hours after they are so placed without supplying them with necessary food, water and attention, or permits such stock to be so crowded as to overlie, crush, wound or kill each other, shall be fined not less than two dollars nor more than two hundred dollars for the first offense, and for each subsequent offense such person shall be fined not less than ten dollars nor more than two hundred dollars or imprisoned not more than sixty days or both. Provided, that upon the written request of the owner or person in custody of any particular shipment of live stock, which written request shall be separate and apart from any printed bill of lading or other railroad form, the length of time in which such live stock may be detained in any cars or compartments without food, water and attention, may be extended to thirty-six hours without penalty therefor. Nothing herein shall prevent the dehorning of cattle. All fines collected for violations of this section shall be paid to the society or association for the prevention of cruelty to animals, if there be such in the county, township, village or city where such violation occurred.

Disposition of  
fines.

SECTION 2. That original section 13376 of the General Code be, and the same is hereby repealed.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 19, 1921.

Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 6th day of May, A. D. 1921.

84 G.

[House Bill No. 143.]

## AN ACT

To amend section 7700 of the General Code, relative to contracts for employment of teachers.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 7700 of the General Code be amended to read as follows:

Sec. 7700. All resignations or requests for release from contract by teachers, superintendents, or employes, must be promptly considered by the board, but no resigna-

Resignations  
must be consid-  
ered by the  
board.

Suspension of  
certificate upon  
resignation  
without consent  
of board.

Report of un-  
authorized re-  
signations.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

tion nor release shall become effective without the consent of the board. The certificate of any superintendent, principal or teacher who resigns or gives up his position without the consent of the board after the first day of August prior to the school year for which he has been employed shall be suspended for the period of time covered by the unfulfilled contract; and no board of examiners shall issue a certificate to such person during the period covered by such contract. Each board of education shall report any such unauthorized resignation to the superintendent of public instruction and to the board of examiners who issued the certificate under authority of which such employment was obtained, and such certificating authority shall thereupon suspend such certificate. The superintendent of public instruction shall send each month to the county, city, and exempted village superintendents of the state a list of superintendents, principals, or teachers, whose certificates granted by the state board or local boards of examiners, have been suspended, or where cause exists for the suspension of such certificates.

SECTION 2. That original section 7700 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 26, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 6th day of May, A. D. 1921.

85 G.

[House Bill No. 160.]

## AN ACT

To amend sections 1181, 1182, 1184, 1185-1, 1208, 1212, 1212-2, 1222, 1223, 1225, 5630-1, 6929, 6947, 6947-1, 6947-1a and 7182 of the General Code; to repeal sections 1231-11 and 7185 of the General Code; to enact supplementary sections 1180-1, 1181-1, 1207-1, and 3298-53a of the General Code, relating to a system of highway laws for the state of Ohio; and to enact certain further supplemental provisions relating to the highways of the state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1181, 1182, 1184, 1185-1, 1208, 1212, 1212-2, 1222, 1223, 1225, 5630-1, 6929, 6947, 6947-1, 6947-1a and 7182 of the General Code be amended; and supplemental sections 1180-1, 1181-1, 1207-1 and 3298-53a of the General Code be added to read as follows:

Sec. 1180-1. The state highway commissioner shall appoint a first assistant state highway commissioner who shall be a competent civil engineer. The first assistant state highway commissioner shall act as chief engineer of the department and serve during the pleasure of the state highway commissioner. In the absence of the state highway commissioner such assistant shall perform and discharge all the duties of the state highway commissioner as required by law. He shall, under the general direction of the state highway commissioner, have charge of the engineering work of the department and shall under the direction of the state highway commissioner have general supervision over the work of the deputy highway commissioners, and of all other engineers employed in the department.

First assistant state highway commissioner; qualifications, powers and duties.

The first assistant state highway commissioner, in addition to performing the duties above assigned to him, shall perform such other duties in connection with the department as may be designated by the state highway commissioner. The salary of such assistant shall be four thousand eight hundred dollars per annum, and in addition to his salary he shall be paid his actual and necessary traveling expenses. The state highway commissioner shall require such assistant to give bond in the sum of ten thousand dollars conditioned for the faithful performance of his duties with sureties to the approval of the state highway commissioner.

The words "chief highway engineer" occurring in any section of the General Code not herein amended or repealed shall after the taking effect of this act be read, "first assistant state highway commissioner."

Sec. 1181. The state highway commissioner shall also appoint three deputy highway commissioners, who shall be competent civil engineers and serve during the pleasure of the commissioner.

Three deputy highway commissioners; qualifications, duties, salaries.

One of these deputy highway commissioners shall be experienced in road construction and improvement, and acting under the direction of the first assistant highway commissioner, shall have supervision of all matters pertaining to road construction and improvement as provided for in this chapter. Another of said deputies shall be experienced in road maintenance and repair, and acting under the direction of the first assistant highway commissioner, shall have supervision of all matters pertaining to road maintenance and repair. Another of said deputies shall be experienced in the design, construction, maintenance and repair of culverts and bridges, and acting under the direction of the first assistant highway commissioner, shall have supervision of all matters pertaining to the design, construction, maintenance and repair of culverts and bridges. The deputy highway commissioners in addition to performing the duties above assigned to them shall perform such other duties in connection with this department as may be designated by the state highway commissioner or first assistant state highway commissioner.

The salary of each said deputy highway commissioner shall be four thousand five hundred dollars per annum. In addition to their salaries such deputy highway commissioners shall be paid their actual and necessary traveling expenses. The state highway commissioner shall require each such deputy highway commissioner to give bond in the sum of five thousand dollars conditioned for the faithful performance of his duties with such sureties as the state highway commissioner approves.

Auditor; ap-  
pointment;  
duties.

Sec. 1181-1. The state highway commissioner shall appoint an auditor whose especial duty it shall be, under the supervision and direction of the state highway commissioner, to examine into and supervise the methods of bookkeeping and accounting of the state highway department and all similar matters relating to its management. The auditor under the general supervision of the state highway commissioner, shall prescribe methods of accounting for the highway department, and the accounting force of the highway department shall be under his direction. It shall be the duty of the auditor to devise and install in the department a system of bookkeeping adequate to the needs thereof, and the accounts of the department shall be so kept under his supervision that such accounts shall at all times clearly and plainly exhibit the several appropriations available for the use of the department, the specific amounts of each such appropriation set aside or apportioned by the department for each improvement or purpose, the apportionment or division of all such appropriations among the several counties of the state, where such apportionment or division is so made, the amount or portion of each such apportionment against which contractual liabilities have been created, and the amount expended and still to be expended in connection with each contractual obligation of the department. The auditor shall establish such system in the department as will afford a full and complete check against the improper payment of any bills from the funds of the department, and equally, provide for the prompt payment of the just obligations of the department. The auditor shall act under the general supervision and control of the state highway commissioner and shall perform such other similar duties as may be designated by the state highway commissioner. He shall give a bond in the sum of ten thousand dollars, conditioned for the faithful performance of his duties with sureties to the approval of the state highway commissioner, and shall receive a salary of four thousand dollars per annum.

The powers and duties conferred by this section shall be subject to such control as is now or may hereafter be conferred by law upon any department of the state government with respect to the financial transaction of the departments, offices and institutions of the state government.

Sec. 1182. The state highway commissioner shall also appoint fifteen resident deputy state highway commissioners. Each of said resident deputy state highway commissioners shall under such regulations as may be prescribed by the state highway commissioner be authorized to act for and in the place of the state highway commissioner in all matters arising within the district to which such deputy is assigned. Each of said resident deputy state highway commissioners shall be a competent civil engineer and shall be paid a salary of four thousand dollars per annum and shall serve during the pleasure of the commissioner. The state highway commissioner shall require each such resident deputy to give bond in the sum of five thousand dollars conditioned for the faithful performance of his duties with sureties to the approval of the state highway commissioner.

Fifteen resident deputy state highway commissioners; appointment, qualifications, powers and duties.

It shall be the duty of the first assistant state highway commissioner to divide the state into districts and to assign a resident deputy to each of such districts. He may establish at a convenient location within each of such districts an office for the use of the resident deputy assigned to such district. Each resident deputy assigned to such an office shall be provided with a clerk or a stenographer, and the office of each such resident deputy shall be open at all reasonable times for the transaction of public business, and the regular attendance of such clerk or stenographer shall be required at such office, which shall be furnished with necessary stationery, office supplies and fixtures. The state highway department shall be authorized to lease proper quarters for such offices or may accept the use of offices in a court house or county building when the right to use the same shall have been granted by the county commissioners in charge thereof. The expense of maintaining all such offices shall be paid from the funds of the department. Each resident deputy shall have direct charge of all the operations of the state highway department within his district whether relating to the construction, improvement, maintenance or repair of roads or bridges, and shall perform all duties required of him by the first assistant state highway commissioner or either of the deputy highway commissioners. Said state highway commissioner may also appoint a chief clerk, who shall receive a salary of not more than two thousand five hundred dollars per annum, to be fixed by the state highway commissioner, and a secretary who shall receive a salary of not more than three thousand dollars per annum to be fixed by the state highway commissioner. The state highway commissioner may appoint as many additional clerks or stenographers and such engineers, superintendents, inspectors and other employes, and may purchase, maintain and operate such equipment within the limits of appropriations as he may consider necessary to carry out the provisions of this chapter. Each of said employes shall be paid a salary to be fixed by the state highway commissioner within the limits of the appropriations made by the general assembly. All appointees and employes for whom

Division of state into districts.

Clerk, stenographer, stationery and supplies.

Duties of resident deputies.

Chief clerk, secretary and additional clerks; appointment; salaries.

provision is made in this and the preceding sections of this act shall receive their actual and necessary traveling expenses when on official business.

The words, "division engineer" occurring in any section of the General Code not amended or repealed by this act shall after the taking effect of this act be read, "resident deputy state highway commissioner."

General powers  
and duties of  
state highway  
commissioner.

Sec. 1184. The state highway commissioner shall have general supervision of the construction, improvement, maintenance and repair of all inter-county highways and main market roads, and the bridges and culverts thereon. He shall aid the county commissioners in establishing, creating and preparing suitable systems of drainage for all highways within their jurisdiction or control and advise with them as to the construction, improvement, maintenance and repair of such highways; and he shall approve the design, construction, maintenance and repair of all bridges, including superstructure and substructure, and culverts or other improvements on inter-county or main market roads; and in the case of bridges and culverts on other roads, when the estimated cost thereof exceeds ten thousand dollars, the plans therefor shall be submitted to and approved by him, before contracts are let therefor. He shall cause plans, specifications and estimates to be prepared for the construction, maintenance or repair of bridges and culverts when so requested by the authorities having charge thereof, and he shall cause to be made surveys, plans, profiles, specifications and estimates for improvements whether upon state, county or township roads.

He shall make inquiry in regard to systems of road and bridge construction and maintenance wherever he may deem it advisable and conduct investigations and experiments, with reference thereto, and make all examinations, in his opinion, advisable, as to materials for road construction or improvement.

Annual conference of county surveyors.

Sec. 1185-1. The state highway commissioner is authorized to call the county surveyors together once each year, for the purpose of conducting a conference or school in which the best methods of road building and other matters of interest may be discussed, and at which instructions may be given to said county surveyors pertaining to their work, by the state highway commissioner, or by another person designated by him for that purpose. The state highway commissioner shall also be authorized to call any county surveyor or county commissioner or commissioners into a conference at any time for any purpose connected with his official duties, and such county officers shall in addition to their salaries receive from their respective counties their actual and necessary expenses incurred in such attendance. Instead of a conference or school, the state highway commissioner may hold conferences or schools in various sections of the state for the convenience of the surveyors in such sections.

Power to summon county surveyor or commissioners at any time.



Sec. 1207-1. The state highway commissioner may, if he deems it expedient, enter into any contract authorized by this chapter upon a unit price basis. Where a contract is entered into upon a unit price basis, the contractor shall be required to state in his bid the sum for which he offers to perform each unit of each different kind or class of work and upon the completion of the work the quantities of each kind or class of work shall be measured and the contractor paid only for the quantities of work actually performed by him. Where the state highway commissioner elects to enter into a contract upon a unit price basis, he may include in the estimate such reasonable sum as he may deem necessary to cover variations in the actual quantities of work as compared with the estimated quantities. In the event the actual compensation earned by the contractor exceeds the estimate, any such excess shall be paid from any funds of the department which might lawfully be expended upon the improvement in question. In the event the actual compensation earned by the contractor is less than the estimate, the saving shall inure to the benefit of the state, county, township or townships and property owners in the same proportion existing between their several shares of the estimated cost.

Power to enter into contract upon a unit price basis.

Sec. 1208. The state highway commissioner may reject all bids. Before entering into a contract the commissioner shall require a bond with sufficient sureties; conditioned as provided in sections 2365-1 to 2365-4 inclusive of the General Code, and also conditioned that the contractor will perform the work upon the terms proposed, within the time prescribed, and in accordance with the plans and specifications thereof, and that the contractor will indemnify the state, county or township against any damage that may result by reason of the negligence of the contractor in making said improvement. In no case shall the state be liable for damages sustained in the construction of any improvement under this chapter.

Rejection of bids. Bond required before entering into contract.

If any bond taken under the provisions of this chapter is executed by a surety company, the state highway commissioner shall not be authorized to approve such bond unless there is attached thereto a certificate of the superintendent of insurance that such surety company is authorized to transact business in this state, and the power of attorney of the agent of such company executing such bond. The superintendent of insurance shall upon request issue to any duly licensed agent of such company such certificate without charge. If any bond taken under the provisions of this chapter is executed by a private individual or individuals as sureties, the state highway commissioner shall not be authorized to approve such bond unless there is attached thereto a sworn financial statement of such sureties showing the amount and specific character of their assets and liabilities, or a certificate of the county auditor of the county in which said sureties or one of them reside or have property to the effect that in his judgment such sureties

Requirements when bond executed by surety company.

Bond executed by private individuals.

possess the qualifications provided by section 10219 of the General Code. The bond required to be taken under the provisions of this section shall be in an amount equal to one-half of the estimated cost of the work, and to the approval of the state highway commissioner.

How proportions  
of cost and ex-  
penses paid.

Sec. 1212. The state's proportion of the cost and expense of the construction, improvement, maintenance or repair of a highway under the provisions of this chapter, shall be paid by the treasurer of state upon the warrant of the auditor of state. The warrant of the auditor shall be issued upon the requisition of the state highway commissioner and be paid from any appropriation or funds available to carry out the provisions of this chapter. The proportion of the cost and expense of construction, improvement, maintenance or repair to be paid by the county, township and property owners, shall be paid by the treasurer of the county in which the highway is located upon the warrant of the county auditor, issued upon the requisition of the state highway commissioner. Such warrant shall be paid from any funds in the county treasury, available for the construction, improvement, maintenance or repair of roads, bridges and culverts within the county, and not otherwise specifically appropriated. Where the improvement has been made upon the application of the township trustees, the proportion of the cost and expense of such construction, improvement, maintenance and repair to be made by the township and property owners shall be paid by the treasurer of the township in which the highway is located upon the order of the township clerk issued upon the requisition of the state highway commissioner. The payment of the cost of the construction of such improvement shall be made as the work progresses upon estimates made by the engineer in charge of such improvement, and upon approval of the state highway commissioner. Except as hereinafter provided no payment by the state, county or township, on account of a contract for any improvement under this chapter shall be made before the completion of said contract exceed ninety per cent of the value of the work performed to the date of such payment, and except as hereinafter provided, ten per cent of the value of the work performed shall be held until the final completion of the contract in accordance with the plans and specifications. In addition to the above payments on account of work performed, the state highway commissioner may also, if he deems it proper allow and pay to a contractor a sum not exceeding ninety per cent of the value of material delivered on the site of the work, but not yet incorporated therein, provided such material has been inspected and found to meet the specifications. When an estimate is allowed on account of material delivered on the site of the work but not yet incorporated therein, such material shall thereupon become the property of the state; but in case such material is stolen or destroyed or damaged by casualty before being

Payment of  
estimates.

used, or for any reason becomes unfit for use, the contractor will be required to replace the same at his own expense. When the retained percentage, plus the difference between the contract price and the estimates allowed, exceeds by more than fifteen per cent the estimated cost of completing the work, as determined by the state highway commissioner, the state highway commissioner may, if he deems it proper, pay to the contractor all or any part of said excess sum, retaining not less than the estimated cost of completing the work, as determined by him, plus fifteen per cent thereof.

Sec. 1212-2. In addition to the estimates provided for by section 1212 of the General Code, the state highway commissioner may also, if he deem it proper and under such conditions as he may prescribe, allow and pay to a contractor a sum not exceeding ninety per cent of the value of material delivered by such contractor, and safely stored at a railroad station or siding, or other point in the vicinity of the work. When such estimate is allowed, the material on which the same is allowed shall thereupon become the property of the state but in case such material is stolen or destroyed or damaged by casualty before being used, or for any reason becomes unfit for use, the contractor will be required to replace the same at his own expense. This section shall apply to all uncompleted contracts in force at the time of the taking effect of this act, as well as to contracts let thereafter. A contractor shall have the right, however, to insure against loss or damage by fire or otherwise, all materials on which estimates have been allowed under this or any other section.

What estimates may be allowed and paid contractors.

Sec. 1222. For the purpose of providing a fund for the payment of the county's proportion of the cost and expense of the construction, improvement, maintenance and repair of highways under the provisions of this chapter, the county commissioners are hereby authorized to levy a tax, not exceeding one and one-half mills, upon all the taxable property of the county. Said levy shall be in addition to all other levies authorized by law for county purposes but subject, however, to the extent of one-half mill thereof, to the limitation upon the combined maximum rate for all taxes now in force. The remaining one mill of said levy so authorized shall be in addition to all other levies made for any purpose or purposes, and the same shall not be construed as limited, restricted or decreased in amount or otherwise by any existing law or laws. The proceeds of such levy shall be used solely for the purpose of paying the county's proportion of the cost and expense of constructing, improving, maintaining and repairing inter-county highways and main market roads or parts thereof in co-operation with the state highway department or the federal government or both; and the funds produced by such levy shall not be subject to transfer to any other fund, either by order of court or otherwise.

Tax levy for county's proportion; application of proceeds; limitations.

The county commissioners of any county in which less

than one and one-half mills is levied in any year under the provisions of this section shall within the above limitations determine what part of such levy shall be subject to the limitations upon the combined maximum rate for all taxes now in force and what part of such levy shall be outside such limitation and unrestricted by any existing law or laws.

Tax levies by trustees or commissioners in townships interested; limitations.

For the purpose of providing a fund for the payment of the proportion of the cost and expense to be paid by the interested township or townships for the construction, improvement, maintenance or repair of highways under the provisions of this chapter, the county commissioners or the township trustees are authorized to levy a tax not exceeding two mills upon all taxable property of the township in which such road improvement or some part thereof is situated. Such levy shall be in addition to all other levies made for any purpose or purposes and the same shall not be construed as limited, restricted or decreased in amount or otherwise by any existing law or laws. Where the improvement is made upon the application of the county commissioners said county commissioners shall levy the tax and where the improvement is made upon the application of the township trustees said township trustees shall levy the tax. A county or township may use any moneys lawfully transferred from any fund in place of the taxes provided for under the provisions of this section.

Bond issues in anticipation of tax collection.

Sec. 1223. The county commissioners, in anticipation of the collection of such taxes and assessments or any part thereof, and whenever such construction, improvement or repair is being done upon their application, may, whenever in their judgment it is deemed necessary sell the bonds of said county in any amount not greater than the aggregate sum necessary to pay the respective shares of the estimated compensation; damages, cost and expense payable by the county, township or townships and the owners of the lands assessed or to be assessed for such improvement, but the aggregate amount of such bonds issued and outstanding at any one time and to be redeemed by a tax levy upon the grand duplicate of the county shall not be in excess of one per cent of the tax duplicate of such county. In computing such one per cent. bonds to be redeemed by special assessments or by tax levies upon the interested township or townships shall not be taken into account. Bonds issued under authority of this section shall state for what purpose issued and bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and in such amounts, and to mature in not more than ten years after their issue, as the county commissioners shall determine. Prior to the issuance of such bonds the county commissioners shall provide for the levying of a tax upon all the taxable property of the county to cover any deficiency in the payment or collection of any township taxes, or any deficiency in the levy, payment or collection of any special assessments, antici-

pated by such bonds. The proceeds of such bonds shall be used exclusively for the payment of the cost and expense of the construction, improvement or repair of the highway for which the bonds are issued. If bids are made for a portion of the proposed issue, the commissioners may accept a combination of bids, if by so doing the bonds will produce the best price to the county, and at the request of the purchaser the bonds may be issued in denominations of one hundred dollars or multiples thereof, notwithstanding any provision of the resolution providing for their issue. Where such construction, improvement or repair is made upon the application of the township trustees such township trustees are hereby authorized to sell the bonds of the interested township in any amount not greater than the estimated compensation, damages, cost and expense of such construction, improvement or repair, and under like conditions hereinbefore prescribed for county commissioners. The making of the special assessment hereinbefore referred to shall not be a condition precedent to the issuance of bonds under the provisions of this section and such special assessments may be made either before bonds are issued under the provisions of this section or after the issuance of such bonds.

Sec. 1225. The state highway commissioner shall at the time he approves surveys, plans, profiles, cross-sections, estimates and specifications for any road improvement, or plans for the construction, improvement or repair of any bridge or culvert, determine whether the making of such improvement will require the closing to traffic of such highway, bridge or culvert. Plans and specifications for the improvement of inter-county highways and main market roads, whenever practicable, shall be so prepared as to avoid closing to traffic at any time the entire width of the highway or bridge being improved. It shall be unlawful for any contractor or other persons to close a highway or bridge being improved by the state unless such action shall have first been determined to be necessary by the state highway commissioner. If the state highway commissioner determines that the making of the improvement will require the closing to traffic of the highway, bridge or culvert, he shall further determine whether it is practicable to construct within the limits of the highway or to provide a new location for and construct a temporary highway, bridge or culvert to be used by travelers in lieu of the closed highway, bridge or culvert. His determination in respect to all matters above set forth shall be endorsed in writing upon the surveys, plans, profiles, cross-sections, estimates and specifications. If the state highway commissioner determines that it is impracticable to construct a temporary highway or bridge he shall cause to be included as a part of the plans for improvement, plans, specifications and estimates for all necessary and proper barriers and proper uniform detour signs. Signs must be so placed and maintained as to conspicuously indicate the points at which it is

Improvement shall be made without closing highway or bridge, where practicable.

Temporary highway or bridge when closing necessary; barriers and detour signs.

necessary for traffic to leave the closed highway, and plainly mark the most direct practicable route to be followed, indicating the road to be followed by the detoured traffic at all road crossings and forks. The detour signs placed upon the closed highways at the points where the traffic shall leave the same must at all times during the period such highway is closed be marked between sunset and sunrise by a red light. The costs and expense of constructing temporary highways or bridges or placing barriers and detour signs shall be included in and regarded as a part of the costs and expenses of the improvement and shall be paid accordingly. It shall be unlawful for any contractor or for any employe of the state highway department, when the state is proceeding by force account, to close any highway, bridge or culvert until such temporary highway or bridge has been constructed or such barriers and detour signs have been placed. Immediately upon the reopening of the highway, bridge or culvert it shall be the duty of the contractor, or of the employe of the state highway department in charge of such work, in case the state is proceeding by force account, to immediately remove all barriers and detour signs. Only such portion of any highway shall be closed at any one time as shall be deemed reasonably necessary by the state highway commissioner. The right of way for temporary highways and bridges shall, where a private right of way is necessary, be furnished by the county or township on whose application the improvement is being constructed, or by the state where the improvement is being constructed without co-operation, and all temporary highways, bridges and culverts and detour signs shall be maintained by the contractor until the permanent highway, bridge or culvert is completed and reopened for traffic. For the purpose of locating, constructing and erecting temporary highways or bridges the state highway commissioner or any persons acting under his authority, may enter upon lands adjoining or near to a highway to be closed and may agree with the owners of such lands as to damages, if any, caused thereby. If the state highway commissioner is unable to agree with such owners as to the amount of damages thus sustained, the amount thereof shall be ascertained, determined and paid as in the case of the condemnation of road materials.

Selection of  
direct detour  
route.

If the state highway commissioner determines that it is impracticable to construct either within the limits of the highway or upon a new location over private lands, a temporary highway, bridge or culvert to be used by travelers in lieu of the closed highway, bridge or culvert, he shall before the closing to traffic of the highway, bridge or culvert to be constructed, improved or repaired, select the most practicable, direct detour route over existing highways and cause to be placed and maintained detour signs along such route as hereinbefore provided. He shall furthermore before the closing to traffic of the highway, bridge or culvert to be constructed, improved or repaired, place in passable condition for traffic the detour route so selected

Maintaining in  
passable con-  
dition, detour  
route.

and marked by him and he shall be required to maintain in a passable condition for traffic such detour route during the entire time that the highway, bridge or culvert under construction is closed to traffic. He shall furthermore be required, at the time of the opening to traffic of the highway, bridge or culvert so constructed, to restore such detour route to as good condition as it was at the time of its selection by him as a detour route. The expense of preparing, maintaining and restoring such detour route may be paid from the main market road fund of the department in the event the improvement in question is upon a main market road, or from the inter-county highway fund of the department apportioned to the county in which such improvement is located, or from the maintenance and repair fund of the department, as may be determined by the state highway commissioner.

Sec. 3298-53a. The board of trustees of a township, in which township there is located a municipal corporation or corporations, or a part of a municipal corporation, and in which township that portion thereof not included within the corporate limits of such municipal corporation or corporations has been erected into a road district, shall be authorized to enter into an agreement with the county commissioners of the county within which such township is situated, providing for the construction, improvement, maintenance or repair by said board of county commissioners of a road within such road district, and such board of township trustees shall be authorized to assume on behalf of such road district such proportion of the compensation, damages, costs and expenses of said improvement as they may deem proper. The remainder of the compensation, damages, costs and expenses of such improvement shall be paid in part by the county and shall in part be assessed against the real estate abutting upon said improvement, or against the real estate situated within one-half mile of either side thereof, or against the real estate situated within one mile of either side thereof, or against the real estate situated within two miles of either side thereof, as may be fixed by the terms of said agreement between the county commissioners and township trustees. For the payment of that part of the compensation, damages, costs and expenses assumed by the township trustees on behalf of said road district, said trustees shall be authorized to levy taxes against said road district and issue the bonds of said road district under the provisions of sections 3298-44 and 3298-45 of the General Code. The road district shall pay to the county treasurer its agreed proportion of the estimated compensation, damages, costs and expenses of said improvement as fixed in said agreement between the county commissioners and the township trustees out of the proceeds of any such tax levies or bond issues. All proceedings relating to the letting of the contract, the supervision of the work and the making of assessments and all other proceedings in connection with such improvement except as

Construction, repair, etc., in townships outside municipalities erected into road district.

Compensation, damages, costs and expenses.

Tax levy.

provided for by this section shall be conducted by the county commissioners as in the case of the construction, improvement, maintenance and repair of county roads.

Agreement with  
county commis-  
sioners for con-  
struction.

Such board of township trustees shall also be authorized to enter into an agreement with the county commissioners providing for the construction by the state highway department upon the application of such county commissioners of a road improvement within such road district and shall be authorized to assume on behalf of such road district such proportion of the compensation, damages, costs and expenses of such improvement as may to them seem proper. In the event of their making such an agreement, they shall in like manner be authorized to levy taxes upon and issue the bonds of such road district as hereinbefore provided and pay to the county commissioners out of the proceeds of such tax levies and bond issues, their agreed proportion of such compensation, damages, costs and expenses.

Bond issues in  
anticipation of  
collection of  
special assess-  
ments, full ob-  
ligations against  
county; tax levy.

Sec. 5630-1. Bonds issued by county commissioners in the manner provided by law in anticipation of the collection of special assessments levied or to be levied against the property abutting upon a proposed improvement or to be benefited thereby, or in anticipation of the collection of taxes upon the taxable property of any township, or townships, of the said county within which such improvement is to be made, shall be full, general obligations of such county, for the payment of the principal and interest of which, when due, the full faith, credit and revenues of such county shall be pledged. The county commissioners shall, prior to the issuance of the bonds above mentioned, provide for the levying of a tax upon all the taxable property of the county to cover any deficiency in the payment or collection of such township taxes, or in the levy, payment or collection of such special assessments.

Compensation  
and damages,  
bond issue for,  
authorized in  
anticipation of  
collection; tax  
levy.

Sec. 6929. The county commissioners, in anticipation of the collection of such taxes and assessments, or any part thereof, may whenever, in their judgment it is deemed necessary, sell the bonds of said county in any amount not greater than the aggregate sum necessary to pay the estimated compensation, damages, costs and expenses of such improvement. Such bonds shall state for what purpose they are issued and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and in such amounts and to mature at such times as the commissioners shall determine, subject to the provision however that said bonds shall mature in not more than ten years. Prior to the issuance of such bonds the county commissioners shall provide for the levying of a tax upon all the taxable property of the county to cover any deficiencies in the payment or collection of any township taxes, or any deficiencies in the levy, payment or collection of any special assessment, anticipated by such bonds. The sale of such bonds shall be advertised once not later than two weeks prior to the date fixed for such sale in an English news-



paper published and of general circulation within such county, if there be an English newspaper published in said county, but if there be no such paper published in said county then in an English newspaper having general circulation in said county. Such bonds shall be sold to the highest bidder for not less than par and accrued interest. The proceeds of such bonds shall be used exclusively for the payment of the compensation, damages, costs and expenses of the improvement for which they are issued. The making of the special assessments hereinbefore referred to shall not be a condition precedent to the issuance of bonds under the provisions of this section, and such special assessments may be made either before bonds are issued under the provisions of this section or after the issuance of such bonds.

Sec. 6947. Before entering into a contract, the county commissioners shall require a bond payable to the state of Ohio, for the use of the said county in a sum equal to one-half of the estimated cost of the work with good and sufficient sureties or with a surety company authorized to do business in the state of Ohio, conditioned on the faithful performance of the work in accordance with the plans and specifications. Such bond shall also indemnify the county against the damages that may be suffered by failure to perform such contract according to the provisions thereof and in accordance with the specifications for said improvement. Nothing herein contained shall be held to prevent the payment out of any estimate or estimates that may be due, upon the assignment by the contractor to any person who has furnished material for the work, or performed labor thereon, of the amount due for such material or labor.

Bond of contractor.

Sec. 6947-1. The payment of the cost of the construction of such improvement shall be made as the work progresses upon estimates made by the county surveyor. Except as hereinafter provided, no payment on account of the contract for any improvement shall before the completion of said contract exceed ninety per cent. of the value of the work performed to the date of such payment, and except as hereinafter provided ten per cent. of the value of the work performed shall be held until the final completion of the contract in accordance with the plans and specifications. In addition to the above payments on account of work performed, the county surveyor may also, if he deem it proper, allow to the contractor an estimate not to exceed ninety per cent. of the value of material delivered on the site of the work but not yet incorporated therein, provided such material has been inspected and found to meet the specifications. When an estimate is allowed on account of material delivered on the site of the work but not yet incorporated therein, such material shall thereupon become the property of the county, but in case such material is stolen or destroyed or damaged by casualty before being used, the contractor will be required to replace the same at his own expense. When the retained percentage plus the

Payment on estimates shall not exceed ninety per cent.

difference between the contract price and the estimates allowed exceeds by more than fifteen per cent., the estimated cost of completing the work as determined by the county surveyor, the county surveyor may, if he deem it proper, allow to the contractor an estimate equal to all or any part of said excess sum, retaining not less than the estimated cost of completing the work as determined by him plus fifteen per cent. thereof. Where a portion of a section of highway covered by a contract is completed and opened to traffic, all retained percentages held in connection with such portion of said section shall be forthwith released and paid to the contractor.

Payment on estimates of materials delivered shall not exceed ninety per cent.

Sec. 6947-1a. In addition to the estimates provided for by section 6947-1 of the General Code, the county surveyor may also, if he deem it proper and under such conditions as he may prescribe, allow and pay to a contractor a sum not exceeding ninety per cent. of the value of material delivered by such contractor, and safely stored at a railroad station or siding, or other point in the vicinity of the work. When such estimate is allowed, the material on which the same is allowed shall thereupon become the property of the county but in case such material is stolen or destroyed or damaged by casualty before being used, or for any reason becomes unfit for use, the contractor will be required to replace the same at his own expense. A contractor shall have the right, however, to insure against loss or damage by fire or otherwise, all materials upon which estimates have been allowed under this or any other section.

Salary of engineer, proportion paid by state when highways under control of state.

Sec. 7182. The state highway commissioner may designate the county surveyor to have charge of all highways, bridges and culverts within his county under control of the state or he may designate some other competent civil engineer to have charge of all highways, bridges and culverts within one or more counties and under control of the state. The county surveyor or other civil engineer designated as above shall perform such duties in reference to the highways, bridges and culverts under the control of the state and within the county or counties assigned to him as may be prescribed by law or by the state highway commissioner. The compensation of the engineer so appointed whether such engineer be the county surveyor or whether he be some other person, shall be fixed by the state highway commissioner and the same shall be paid out of any funds available for the construction, improvement, maintenance and repair of inter-county highways. In the event the county surveyor is designated and receives such compensation, he shall forthwith upon the receipt of the same, pay it into the county treasury of his county to the credit of the general county fund. The state highway commissioner shall be authorized whenever he deems it expedient to revoke any designation or appointment made under the provisions of this section and to make a new designation or appointment.

Revocation of designation or appointment.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

Sec. 1231-6.

**SECTION 2.** The court in which a proceeding is brought to recover a tax or assessment paid, or to enjoin a tax or assessment levied or ordered to be levied, to pay any part of the costs and expenses of any road improvement constructed by the state highway department of the state of Ohio or by any county, township or road district of the state, may in its discretion upon the application of any party to such action direct and cause any necessary survey of the improvement and of the lands assessed therefor to be made by a competent, disinterested engineer, who shall upon oath report his findings upon the matters covered by the court's order, and such report shall be received and considered by the court as is other competent evidence upon the issues to be determined. The court shall in any such proceeding allow oral testimony that any acts required by law for such improvement have been substantially performed notwithstanding errors, defects or irregularities in the record kept or required to be kept by any board or officer. In case of claimed want of notice as required by law, any evidence may be offered in any such proceeding that the plaintiff had knowledge of the proceedings for such improvement or of the proceedings for making and confirming assessments and actual opportunity to appear therein and be heard, which evidence may also be considered upon the issues. The court shall be authorized to make such judgment or order as will be equitable, and may order any tax or assessment to remain on the duplicate for collection, or order it to be levied, or perpetually enjoin the levy or collection of the same or any part thereof as to the plaintiff, or if it has been in whole or in part paid under protest or without knowledge, order the whole or such part as is just and equitable to be refunded. The court may also make a re-assessment of the whole or any part of the original assessment, or may order the board or officer by whom the assessment was made, or other proper board or officers, to make a re-assessment. Upon the granting of partial relief to the plaintiff the court may apportion the costs equitably between the parties. Proceedings with respect to such taxes and assessments shall be liberally construed by the courts to secure a speedy completion of the work at reasonable cost and the speedy collection of assessments after the time has elapsed for their payment, and merely formal objections shall be disregarded. Such proceedings shall, however, be strictly construed in favor of the owner of the property assessed as to the constitutional and statutory limitations on assessment of private property. No tax or assessment shall be held invalid by any court by reason of any error or omission in the proceedings, not substantially affecting the rights of the plaintiff. The provisions of this section shall apply to pending actions and proceedings.

In proceeding to enjoin collection of tax, etc., court may order survey of improvement and lands.

Testimony admissible.

Judgment and order of court; reassessment.

Apportionment of costs.

Sec. 1231-7.

**SECTION 3.** No contract for the construction of any road, street, sewer, public building or other public improvement to be let by the state of Ohio or any political sub-

Contract shall be let to citizen of U. S.

division thereof shall, where the same is let to a private individual, be made or entered into with any person other than a citizen of the United States, and no such contract shall, where the same is let to a partnership, be made or entered into with any partnership unless all the members thereof are citizens of the United States. Any contract attempted to be entered into contrary to the provisions of this section shall be illegal and void.

Detours must  
be put in pas-  
sable condition  
for traffic.

SECTION 4. The state highway commissioner shall be authorized to place in a passable condition for traffic detour routes established in connection with road improvements under the supervision of the state highway department, the contracts for which may have been entered into prior to the taking effect of this act, and he shall be further authorized to maintain such detour routes in a passable condition for traffic until the reopening to traffic of the improvements under construction. The expense of carrying out the provisions of this section shall be paid from the maintenance and repair funds of the state highway department, or from any inter-county highway funds apportioned to the county within which such improvement is being constructed and against which no contractual liabilities exist.

Sec. 1224-2.

Removal of  
snow from in-  
ter-county high-  
ways and main  
market roads.

SECTION 5. The state highway commissioner shall have authority to remove snow from the main traveled inter-county highways and main market roads within the state, and shall be authorized to purchase the necessary equipment including snow fences, employ the necessary labor and make all contracts in his judgment necessary to carry out the provisions of this section. The authority herein conferred shall be in addition to that conferred upon the township trustees by law. The state highway commissioner shall notify boards of township trustees as to all roads within their townships with respect to which he determines to act under the provisions of this section, and as to such roads the duties of such township trustees with respect to removal of snow shall cease. The expense of carrying out the provisions of this section by the state highway commissioner shall be paid from the maintenance and repair fund of the state highway department.

The county commissioners of a county shall in like manner be authorized to remove snow from any main traveled road within the county with respect to which the state highway commissioners has not acted under the provisions of this section, and the county commissioners of any county acting under this authorization shall in like manner give notice to the trustees of the township or townships within which such road is situated, and thereupon the duties of the trustees with respect to the removal of snow from such road shall cease. The county commissioners shall be authorized to purchase necessary equipment, employ necessary labor and make all contracts necessary to carry out the provisions of this section, and all expenses incurred in con-

nection therewith shall be paid from the county road fund or funds.

SECTION 6. The provisions of sections 1207-1, 1208, 1222, 1223, 5630-1, 6929 and 6947 of the General Code as herein enacted or amended shall upon and after the taking effect of this act apply to pending proceedings for the construction, improvement, maintenance or repair of roads or highways.

Act shall apply to pending proceedings for construction, etc.

SECTION 7. The provisions of sections 1212, 1212-2, 6947-1 and 6947-1a of the General Code as herein amended shall apply to contracts let prior to the taking effect of this act, provided the written consent of the contractor's surety or sureties is filed with the officer or board which entered into such contract; otherwise the matter shall be governed by the statutory provisions in force at the time such contract was made.

Laws applicable to prior contracts.

SECTION 7-a. All bonds issued under authority of sections 1223 and 6929 of the General Code prior to the taking effect of this act, which have been sold for not less than par and accrued interest and the proceeds thereof paid into the treasury, shall be held to be legal, valid and binding obligations of the political subdivision issuing the same, without regard to whether any special assessments anticipated by such bonds were made prior to the issuance thereof.

Bonds sold prior to act shall be binding obligations.

SECTION 8. Sections of this act and parts thereof are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not affect any other section, or sections, or part or parts thereof.

Section or part invalid shall not affect others.

SECTION 9. That said original sections 1181, 1182, 1184, 1185-1, 1208, 1212, 1212-2, 1222, 1223, 1225, 5630-1, 6929, 6947, 6947-1, 6947-1a, and 7182 of the General Code, and also sections 1231-11 and 7185 of the General Code be, and the same are hereby repealed.

Repeals.

This act shall succeed all acts and parts of acts not herein expressly repealed, which are inconsistent herewith; but in the event the office of state highway commissioner is abolished by legislative enactment effective either before or after the taking effect of this act, and the powers and duties of the existing state highway department are by such legislative enactment lodged in a division of one of the departments of state government created by such legislative enactment, then the powers and duties of the state highway commissioner as defined by this act shall be exercised and performed by the head of such division. In such event the office of first assistant state highway commissioner created by this act shall cease to exist or shall not come into existence, as the case may be, and the powers and duties of the first assistant state highway commissioner as defined by this act shall also be exercised and performed by the head of such division, who shall also be authorized to change the

Application of act.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

titles of all other subordinates and employes provided for by this act.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 21, 1921.

Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

86 G.

[House Bill No. 165.]

## AN ACT

To amend section 10093 of the General Code, relative to lands held by cemetery associations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 10093 of the General Code be amended to read as follows:

May acquire and hold land and property; exempt from tax and execution.

Sec. 10093. A company or association incorporated for cemetery purposes may appropriate or otherwise acquire and may hold, not exceeding six hundred and forty acres of land; also, take any gift or devise in trust for cemetery purposes, or the income from such gift or devise according to the provisions of such gift or devise, in trust, all of which shall be exempt from execution and from being appropriated for any other public purpose, and shall be exempt from taxation, if held exclusively for burial purposes, and in no wise with a view to profit. And the trustees of such company or association, whenever in their opinion any portion of such lands is unsuitable for burial purposes, may sell and convey by deed in fee simple, in such manner, and upon such terms as may be provided by resolution of such trustees, any such portion or portions of said lands, and apply the proceeds thereof to the general purposes of the company or association; but on such sale or sales being made, the lands so sold shall be returned by the trustees to the auditor of the proper county, to be by him placed upon the grand duplicate for taxation.

Sale of unsuitable lands; application of proceeds.

SECTION 2. That original section 10093 and sections 10094, 14778 and 14779 of the General Code be, and the same are hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 21, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

87 G.

[Amended Senate Bill No. 57.]

## AN ACT

To amend sections 3016, 3017, 4528, 4536, 4554, 4556, 4567 and 13438 of the General Code, relating to fees of minor court officers, and section 1981 of the General Code, relating to fees and costs in lunacy proceedings.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3016, 3017, 4528, 4536, 4554, 4556, 4567, 13438 and 1981 of the General Code be amended to read as follows:

Sec. 3016. In felonies, when the defendant is convicted, the fees of the various magistrates and their officers, the witness fees and interpreter's fees shall be inserted in the judgment of conviction and when collected the same shall be disbursed by the clerk of courts to the persons entitled thereto; in minor state cases, which have come to the court of common pleas through said magistrate's courts, the fees above enumerated shall be inserted in the judgment of conviction and when collected the same shall be disbursed by the clerk of courts to the persons entitled thereto, except that in both felonies and minor state cases, said clerk shall pay the witness and interpreter's fees into the county treasury, monthly.

How fees and costs shall be paid in felonies and minor state cases.

In all cases when recognizances are taken, forfeited and collected, the amount recovered shall be paid into the county treasury, and if no conviction is had, such costs shall be paid by the county upon the allowance of the county auditor.

Amount of forfeited recognizances paid into county treasury.

Sec. 3017. In all state cases any wholly salaried minor court officer charged with the execution of a warrant to arrest or order of commitment shall receive from the county treasury the actual necessary expense of executing such writs upon specifically itemized bills, verified by his oath, and certified to by the proper magistrate, court or

Necessary expenses for salaried officers.

clerk thereof, and in like manner such expense shall be paid from the municipal treasury when incurred in ordinance cases.

**Jurisdiction and duties.**

Sec. 4528. He shall have final jurisdiction to hear and determine any prosecution for a misdemeanor, unless the accused is, by the constitution, entitled to a trial by jury, and his jurisdiction in such cases shall be co-extensive with the county, and in keeping his dockets and files making report to the county auditor, disposing of unclaimed monies, and in purchasing his criminal docket and blanks for state cases, shall be governed by the laws, pertaining to justices of the peace.

**Jurisdiction in certain state offenses; keeping dockets and files.**

Sec. 4536. He shall have final jurisdiction to hear and determine any prosecution for a misdemeanor unless the accused is, by the constitution, entitled to a trial by jury. His jurisdiction in such cases shall be co-extensive with the county, and in keeping his dockets and files, making report to the county auditor, disposing of unclaimed monies, and in purchasing his criminal docket and blanks for state cases, shall be governed by the laws pertaining to justices of the peace.

**Duties and penalties of jurors; fees.**

Sec. 4554. Jurors so summoned shall perform like duties, and be subject to like rules and penalties, as jurors before justices of the peace. In civil cases jurors shall receive the same compensation as is provided for jurors before justices of the peace in civil cases; and in ordinance and state cases the same compensation as is provided for jurors before justices of the peace in criminal cases; in ordinance cases payment shall be made from the municipal treasury and in state cases from the county treasury upon the certificate of the court.

**Fees of officers.**

Sec. 4556. The fees of the mayor, in all cases, shall be the same as those allowed justices of the peace, and the fees of the marshal, chief of police, and other police officer serving writs or process of the court, in all cases, shall be the same as those allowed constables.

**Police judge; election and term; dockets and files; report.**

Sec. 4567. In each municipality where a police judge is provided by law, such judge shall be chosen for a term of four years, commencing on the first day of January next after the election. Except when otherwise provided by law, the election, power and duties, and, in case of vacancy, the appointment of judges of police court shall be as prescribed by the provisions of this chapter, and such judge in keeping his dockets and files, making report to the county auditor disposing of unclaimed monies, and in purchasing his criminal docket and blanks for state cases, shall be governed by the laws pertaining to justices of the peace.

**Mileage of jurors; payment.**

Sec. 13438. In such prosecutions, the jurors shall be entitled to the same mileage and fees as in criminal cases in the court of common pleas, and they shall be paid from the county treasury upon the certificate of the court.



Sec. 1981. The probate judge shall make a complete record of all proceedings in lunacy. The costs and expenses to be paid under the provisions of this chapter, shall be as follows: to the suitable person, other than the sheriff or his deputies, for making the arrest, the same fees allowed constables, to be paid upon the certificate of the probate judge; to each of two physicians designated by the court to make the examination, five dollars and witness fees as allowed in the court of common pleas, to be paid upon the certificate of the probate judge; to the person, other than the sheriff or his deputies, for taking an insane person to a state hospital or removing one therefrom upon the warrant of the probate judge, the actual necessary expense incurred, specifically itemized and verified by his oath and approved by the probate judge; to one assistant to convey to the hospital, when authorized by the probate judge, a fee of two dollars a day, provided he is not drawing a salary from a public treasury, and his actual necessary expense incurred, specifically itemized and verified by his oath and approved by the probate judge.

Record, fees, costs and expenses in lunacy cases.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original sections 3016, 3017, 4528, 4536, 4554, 4556, 4567, 13438 and 1981 of the General Code be, and the same are hereby repealed.

Repeals.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 26, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May A. D., 1921.

88 G.

[House Bill No. 312.]

## AN ACT

To authorize the transfer of a portion of a city or exempted village school district to another city or exempted village school district.

*Be it enacted by the General Assembly of the State of Ohio:*

§ 2. 4696-1.

SECTION 1. When territory located within the corporate limits of a city or of a village wherein has been constituted an exempted village school district, is attached for school purposes to a school district of an adjacent city or exempted village school district, such territory or any part thereof may be transferred to the school district of the

Transfer of portion of city or exempted village district to another; procedure.

municipality in which said territory is located as follows: a petition requesting such transfer, signed by at least fifty per cent. of the qualified electors residing in the territory sought to be transferred, and accompanied by a correct map of said territory, shall be filed with the clerks of the boards of education interested. Each board may, by resolution, consent to such transfer. The passage of such resolution shall require a majority vote of the full membership of the board by aye and nay vote, and record thereof shall be duly entered on the record of such boards of education respectively; provided, however, that such transfer shall not take effect until a map showing the boundaries of the territory transferred is placed upon the records of such boards, and copies of said resolutions, certified by the respective presidents and clerks of each board, together with a copy of said map are filed with the auditor of the county in which said transferred territory is situated; and provided further that such transfer shall not take effect until an equitable division of the funds on hand and in the process of collection, and the indebtedness if any of the boards of education of the school district from which said territory is being detached, be decided upon and made by the boards of education interested. If such boards of education fail or refuse to transfer such territory by mutual consent, and fail to make said equitable division of said funds and indebtedness as hereinbefore provided within sixty days from the filing of said petitions and map, said petitioners shall file a copy of said petition and map in the probate court of the county in which the territory is situated. The petitioners shall give satisfactory security for the costs in the sum of \$100.00, conditioned that they shall pay all costs in the event the transfer is not granted.

**Sec. 4696-2.**

Notice and  
hearing.

SECTION 2. Thereupon the probate judge shall fix a day for the hearing of the petition and cause to be published for four consecutive weeks in two newspapers of opposite politics printed and of general circulation in the county, a notice of the filing of the petition and of the time of the hearing. He shall also notify the clerks of the boards of education interested, of the filing of the petition and the time of hearing.

**Sec. 4696-3.**

Judgment final.

SECTION 3. The probate judge shall hear and determine the case and give judgment for or against such transfer, and his judgment shall be final. In case the finding is against the transfer, judgment shall be rendered against the petitioners for the costs of the proceedings. If the finding is for the transfer, judgment shall be rendered against each of the boards of education interested for one-half of the costs or, if more than two boards are interested, judgment shall be rendered against each for its equal proportionate share of the costs. If the finding is for the transfer, the probate judge shall determine and order an equitable division of the funds on hand and in the process of collection and the indebtedness, if any, of the board of education of

Division of  
funds; certified  
copy of find-  
ings.

the school district from which said territory is being detached. A certified copy of the findings of the court, together with a copy of the map of the territory transferred shall be filed by the probate judge in the office of the county auditor.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 21, 1921.

Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

89 G.

[House Bill No. 91.]

## AN ACT

To amend sections 8024, 8025, 8027, 8028, 8029 and 8030 of the General Code and to enact supplemental sections 8024-1, 8030-1 and 8030-2, relative to adoption of children.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 8024, 8025, 8027, 8028, 8029 and 8030 of the General Code be amended and supplemented to read as follows:

Sec. 8024. Any proper person, or a husband and wife jointly, may petition the probate court of the county in which he or they have a legal settlement, of the county in which the child resides or of the county in which the child had a legal residence when it became a public charge, for leave to adopt a child and for a change of the name of such child. Such petition for adoption shall specify the name, age, and place of residence of the petitioner and of the child, and the name by which the child shall be known; whether such child is possessed of any property, and the full description of the property, if any; whether the child has one or both parents living; in case one or both are alive, then the name or names and place of residence of such father and mother shall be given unless proven to be unknown to the petitioner. Provided that if such child sought to be adopted is, by previous order of a juvenile court, under the legal guardianship and permanent custody of a state board or of an institution or agency certified by the board of state charities for the care of children, or has been legally surrendered to the guardianship of such institution or agency, then the names of parents shall be omitted from such peti-

Who may petition for adoption of minor child; contents of petition.

tion, but the court shall cause such allegation and the petition to be verified.

Hearing on petition and examination of parties.

Appointment of next friend. Who may be designated as such.

Sec. 8024-1. Upon the presentation of such petition the same shall be filed with the court and the said court shall appoint a day for the hearing of said petition and the examination, under oath, of the parties in interest, not less than ten nor more than thirty days from the filing of the petition. It shall be at the option of the court to adjourn the hearing of said petition or the examination of the parties in interest, from time to time, as the nature of the case may require. If it shall be necessary, under the provisions of this act, that a discreet and suitable person shall be appointed as next friend to the child sought to be adopted, the court shall make such appointment and shall thereupon assign a day for the hearing of said petition and examination of the parties in interest, not less than ten nor more than thirty days from the time of appointing the next friend. In case there is in the county an institution or agency approved by the board of state charities, such institution or agency may be designated as next friend and consent be given as indicated in section 8025. Or the court may order the board of state charities through an authorized representative to act in such capacity. Such person, institution, agency or board thus designated shall proceed to verify the allegations of the petition, shall make appropriate inquiry to determine whether the proposed foster parents and their home are suitable for such child, and whether such child is a proper subject for adoption in such home. If such child is under the legal guardianship of a state board or of any certified institution or agency, no next friend shall be appointed, but such board, institution or agency shall prepare the report required by this section. As soon as practicable, there shall be submitted to the court a full report in writing, with a recommendation as to the proposed adoption and any other information concerning such child or the proposed home as the court may require. Upon the day so appointed, the court shall proceed to a full hearing of the petition and the examination of the parties in interest, under oath, with the right of adjourning the hearing and examination from time to time as the nature of the case may require. The board of state charities shall prepare and furnish to the probate court a suitable blank for use by persons designated to make the report required by this section.

Written consent required.

Sec. 8025. In any adoption proceedings written consents must be given to such adoption as follows:

(a) By the child sought to be adopted if more than thirteen years of age.

(b) By each of the living parents or by the mother of an illegitimate child, except as follows:

(c) By the parent or person awarded the legal custody and guardianship by a juvenile court because of dependency, or because of the mental, moral or other unfitness

of one or both parents; provided that such juvenile court approves of such consent whereupon the jurisdiction of such court over such child shall cease.

(d) By the parent awarded custody of child by divorce decree, provided the court which granted such decree approves of such consent, and because of such approval the jurisdiction of such court over such child shall thereupon cease.

(e) By legal guardian of the person of such child, if parents are dead or their residence has been unknown for at least one year, or if the parents have, because of mental, moral or other unfitness, been deprived of legal custody and guardianship of such child by juvenile court; but if there is no guardian and such child is not the ward of a state board or of a certified institution or agency, a next friend shall be appointed as hereinbefore provided, to give consent.

(f) If the parent or parents having the legal custody give the custody of such child for the full term of its minority to any institution or agency established under the laws of the state to care for children and under the approval of the board of state charities, or if such institution or agency has otherwise legally acquired the custody and control of such child, the president or secretary of such institution or agency shall file a certified copy of the consent of the board of trustees, or of the proper officers authorized by such institution or agency to act in matters of adoption; and if such child is a ward of the board of state charities or other state board the secretary of such board shall file a certified copy of the consent given in accordance with its rules.

All such consents to such adoptions shall be acknowledged and witnessed.

Sec. 8027. In any adoption in accordance with section 8026 the provisions of section 8025 shall apply in the matter of consent, so far as applicable.

Sec. 8028. When the petition is filed by a husband and wife, the court shall examine each separate and apart from the other and refuse leave for such adoption unless satisfied from the examination that each petitioner of his or her own free will and accord desires it.

Sec. 8029. If the court, from the testimony, shall be of the opinion that the facts stated in the petition are true, and that the petitioner or petitioners are of good moral character and of reputable standing in the community, and of ability to properly maintain and educate the child sought to be adopted, and that the best interests of the child would be promoted by such adoption, and that such child is found to be suitable for adoption, and is satisfied that all the provisions relative to adoption have been complied with, then the court shall make a decree reciting the facts at length, and the name by which the child shall hereafter be known.

Sec. 8030. The petition, decree and proceedings shall be recorded in a book kept for that purpose and properly

Law applicable  
as to consent.

Examination of  
husband and  
wife separately.

Decree of  
adoption.

Record of pe-  
tition, decree  
and proceedings.

indexed; such book shall become part of the records of the probate court and all reports and affidavits shall be properly filed. Except when such child is adopted under the provisions of sections 8026 and 8027, upon such decree of adoption the natural parents of the child, if living, shall be divested of all legal rights and obligations due from them to the child or from the child to them; and the child shall be free from all legal obligations of obedience or otherwise to such parents; and the adopting parent or parents of the child shall be invested with every legal right in respect to obedience and maintenance on the part of the child as if said child had been born to them in lawful wedlock; and the child shall be invested with every legal right, privilege, obligation and relation in respect to education, maintenance and the rights of inheritance to real estate, or to the distribution of personal estate on the death of such adopting parent or parents as if born to them in lawful wedlock; provided, such child shall not be capable of inheriting property expressly limited to the heirs of the body of the adopting parent or parents; and provided also, on the death of the adopting parent or parents and the subsequent death of the child so adopted, without issue, the property of such deceased parent or parents shall descend to and be distributed among the next of kin of said parent or parents and not to the next of kin of the adopted child; and provided, also, if such adopting parent or parents shall have other child or children, then the children by birth and adoption shall, respectively, inherit from and through each other as if all had been children of the same parents born in lawful wedlock. Nothing in this act shall be construed as debaring a legally adopted child from inheriting property of its natural parents or other kin.

Residence in  
home six  
months before  
decree.

Sec. 8030-1. No decree of adoption shall be made until such child has resided in the home of the petitioner for at least six months, unless the court for some special reason which shall be entered in the record deems it best to waive this requirement.

Decree may be  
annulled be-  
cause of epi-  
lepsy, feeble-  
mindedness, etc.

Sec. 8030-2. If, after its adoption and before it becomes fourteen years of age, a child develops feeble-mindedness, epilepsy, insanity, or venereal disease as a result of conditions existing prior to adoption, and of which the adopting parent had no knowledge or information, a petition setting forth such conditions may be filed in the court which entered the decree of adoption, and if such conditions are proved to the satisfaction of the court, such adoption may be declared null and void. The court shall thereupon make proper disposition of such child by a commitment to an appropriate state institution as provided in the laws of Ohio or refer such child to the juvenile court.

Repeals.

SECTION 2. That said original sections 8024, 8025, 8027, 8028, 8029 and 8030 of the General Code be and the same are hereby repealed.

Sec. 8030-3.

SECTION 3. The term "juvenile court" as used in this act shall be construed as applying to such courts as are created by section 1639 and all other courts now or hereafter created to administer the provisions of law relating to dependent, delinquent and neglected children.

"Juvenile Court" defined.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 20, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

90 G.

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[House Bill No. 47.]

## AN ACT

To amend sections 1465-46, 1465-56, 1465-91, 1465-103, and to enact supplementary sections 1465-53a, 1465-68a, 1465-68b, 1465-68c, 1465-69a, 1465-72b and 1465-99a of the General Code, relating to workmen's compensation, and to provide compensation for occupational diseases and to amend section 6330-1, relating to occupational diseases, and to repeal original sections 1465-46, 1465-56, 1465-91, 1465-103 and 6330-1 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1465-46, 1465-56, 1465-91, 1465-103 and 6330-1 of the General Code be amended, and that sections 1465-53a, 1465-68a, 1465-68b, 1465-68c, 1465-69a, 1465-72b and 1465-99a of the General Code be added to read as follows:

Sec. 1465-46. The information contained in the annual report provided for in the preceding section, and such other information as may be furnished to the commission by employers in pursuance of the provisions of said section, shall be for the exclusive use and information of said commission in the discharge of its official duties, and shall not be open to the public nor be used in any court in any action or proceeding pending therein unless the commission is a party to such action or proceeding; but the information contained in said report may be tabulated and published by the department, in statistical form, for the use and information of other state departments and the public. Any person in the employ of the commission who shall divulge any information secured by him while in the employ of the commission in respect to the transactions, prop-

Information not open to public nor available in court proceedings unless the commission a party; publication of information for other departments.

Penalty for divulging information secured as employee.

erty, business or mechanical, chemical or other industrial processes of any company, firm, corporation, person, association, co-partnership or public utility to any person other than the members of the commission shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00), and shall thereafter be disqualified from holding any appointment or employment with the commission.

Fixing rates of premiums.

Sec. 1465-53a. The industrial commission of Ohio on and after July 1, 1921, shall fix such rates of premium for all occupations and industries based upon the total payroll of each of said occupations and industries as will provide an adequate fund for the compensation provided by law on account of occupational disease, and maintain a state occupational disease fund until July 1, 1924.

Investigating and ascertaining the hazard of the diseases; classification of occupations.

The industrial commission of Ohio shall investigate and ascertain the hazard of the diseases specified in section 1465-68a of the General Code, in occupations or industries and, on and after July 1, 1924, shall classify occupations or industries according to the degree of such hazard and fix such rates of hazard premium of the risks of the same, based upon the total payroll in each of said classes as will provide an adequate fund for the payment of the compensation provided by law on account of such diseases, and maintain a state occupational disease fund from year to year.

Per cent set aside for surplus.

Ten per cent of the money that shall be paid into the occupational disease fund on and after July 1, 1921, shall be set aside for the creation of a surplus until such surplus shall amount to the sum of two hundred and fifty thousand dollars, after which time, whenever necessary in the judgment of the industrial commission to guarantee a solvent occupational disease fund, a sum not to exceed five per cent. of all the money paid into the occupational disease fund shall be credited to such surplus fund.

Collecting and collating information.

In order to determine properly such classification the commission shall collect and collate information with respect to such diseases, and shall obtain statistical, actuarial and such other information as may be necessary to effect the purposes of this section, including the study of the experience of other states and countries having similar laws compensating the victims of occupational diseases. The commission shall employ and detail to such work such physicians, examiners, clerks and assistants as shall be necessary.

Publication of conclusions.

In connection with, and as a part of, such investigation, the industrial commission may from time to time publish such conclusions as it may reach as to causes and prevention of occupational diseases.

Custodian of funds; disbursement.

Sec. 1465-56. The treasurer of state shall be the custodian of the state insurance fund and the occupational disease fund and all disbursements therefrom shall be paid by him upon vouchers authorized by the industrial com-



mission of Ohio and signed by any two members of said commission; or, such vouchers may bear the facsimile signatures of the members of said commission printed thereon, and the signature of the deputy or other employe of said commission charged with the duty of keeping the account of said funds and with the preparation of vouchers for the payment of compensation to the person or persons entitled thereto under the provisions of this act.

Sec. 1465-68a. Every employe who is disabled because of the contraction of an occupational disease as herein defined, or the dependents of an employe whose death is caused by an occupational disease as herein defined, shall, on and after July 1st, 1921, be entitled to the compensation provided by sections 1465-78 to 1465-82, inclusive, and section 1465-89 of the General Code, subject to the modifications hereinafter mentioned; provided that no person shall be entitled to such compensation unless for ninety days next preceding the filing of a claim for compensation the employe has been a resident of the state of Ohio, or for ninety days next preceding the filing of a claim for compensation has been employed by an employer required by the workmen's compensation law of Ohio to contribute to the occupational disease fund of Ohio for the benefit of such employe, or to compensate such employe directly under the provisions of section 1465-69 of the General Code.

Compensation of disabled employe or dependents; who entitled.

The following diseases shall be considered occupational diseases and compensable as such, when contracted by an employe in the course of his employment in which such employe was engaged at any time within twelve months previous to the date of his disablement and due to the nature of any process described herein.

Compensable occupational diseases; schedule.

#### SCHEDULE.

Description of disease or injury.	Description of Process.
1. Anthrax	Handling of wool, hair bristles, hides and skins.
2. Glanders	Care of any equine animal suffering from glanders; handling carcass of such animal.
3. Lead poisoning	Any industrial process involving the use of lead or its preparation or compounds.
4. Mercury poisoning	Any industrial process involving the use of mercury or its preparations or compounds.
5. Phosphorus poisoning	Any industrial process involving the use of phosphorus or its preparations or compounds.

## SCHEDULE—Concluded.

Description of disease or injury.	Description of Process.
6. Arsenic poisoning	Any industrial process involving the use of arsenic or its preparations or compounds.
7. Poisoning by benzol or by nitro and amido-derivatives of benzol (dinitro-benzol, anilin and others)	Any industrial process involving the use of benzol or a nitro—or amido—derivative of benzol or its preparations or compounds.
8. Poisoning by gasoline, benzine, naptha, or other volatile petroleum products.	Any industrial process involving the use of gasoline, benzine, naptha, or other volatile petroleum products.
9. Poisoning by carbon bisulphide	Any industrial process involving the use of carbon bisulphide or its preparations or compounds.
10. Poisoning by wood alcohol	Any industrial process involving the use of wood alcohol or its preparations.
11. Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds or lubricants, dust, liquids, fumes, gases or vapors	Any industrial process involving the handling or use of oils, cutting compounds or lubricants, or involving contact with dust, liquids, fumes, gases or vapors.
12. Epithelioma cancer or ulceration of the skin or of the corneal surface of the eye due to carbon, pitch, tar or tarry compounds	Handling or industrial use of carbon, pitch or tarry compounds.
13. Compressed air illness	Any industrial process carried on in compressed air.
14. Carbon dioxide poisoning	Any process involving the evolution or resulting in the escape of carbon dioxide.
15. Brass or zinc poisoning	Any process involving the manufacture, founding or refining of brass or the melting or smelting of zinc.

Sec. 1465-68b. Every employe mentioned in the next preceding section and the dependent or dependents of such employe and the employer or employers of such employe shall be entitled to all the rights, benefits and immunities and shall be subject to all the liabilities, penalties and regulations provided for injured employes and their employers by sections 1465-44 to 1465-108, General Code, inclusive, save and except section 1465-90, General Code, which shall not apply to any case involving occupational disease, and also subject to such other modifications or exemptions hereinafter provided.

Who entitled to rights and benefits and subject to liabilities and penalties.

The industrial commission shall have all of the powers, authority and duties with respect to the collection, administration and disbursement of the state occupational disease fund as are provided for in sections 1465-44 to 1465-108, General Code, inclusive, providing for the collection, administration and disbursement of the state insurance fund for the compensation of injured employes.

Collection, administration and disbursement of fund.

Sec. 1465-68c. No compensation shall be awarded on account of disability or death from disease suffered by an employe who, at the time of entering into the employment from which the disease is claimed to have resulted, shall have wilfully and falsely represented himself as not having previously suffered from such disease. Compensation shall not be awarded on account of both injury and disease, except when the disability is caused by such disease and an injury, in which event the commission may apportion the payment of compensation provided for in sections 1465-79 to 1465-82, General Code, inclusive, between the funds as in their judgment seems just and proper. If an employe is suffering from both occupational disease and an injury, and the industrial commission of Ohio can determine which is causing his disability, it shall pay compensation therefor from the proper fund.

False representation by employe, a bar to compensation.

When commission shall pay compensation.

Compensation for loss sustained on account of occupational disease by an employe mentioned in subdivision 1 of section 1465-61, General Code, or the dependents of such employe, shall be paid from the fund provided for in sections 1465-62 to 1465-67, General Code, inclusive.

Fund from which compensation paid.

Compensation for loss sustained on account of such disease by an employe mentioned in subdivision 2 of section 1465-61, General Code, or the dependents of such employe, shall be paid from the occupational disease fund or by the employer of such employe, in case such employer has elected to pay such compensation directly to his employes.

Sec. 1465-69b.

Sec. 1465-69a. Every person, firm, or corporation, who is an employer within the meaning of subdivision 2 of section 1465-60, General Code, shall, in the month of July, 1921, and semi-annually thereafter, pay into the occupational disease fund for the compensation of occupational diseases the amount of premium determined and fixed by the industrial commission of Ohio; and in the month of July,

Who shall pay into fund; time of payment.

1924, and semi-annually thereafter, shall pay into the occupational disease fund for the compensation of occupational diseases such amount of premium as shall be fixed and determined by the industrial commission of Ohio, for the occupation or employment of such employer, according to the classifications, rules and rates made and published by said commission; and such employer shall semi-annually thereafter pay such further sum of money into the occupational disease fund as may be ascertained to be due from him by applying the rules of said commission, and a receipt or certificate that such payment has been made shall immediately be mailed to such employer by the industrial commission of Ohio, which receipt or certificate, attested by the seal of said commission shall be prima facie evidence of the payment of such premium.

Provided that all such employers who become subscribers to the occupational disease fund for the compensation of occupational diseases after July 1, 1921, shall make such semi-annual payments on the dates on which such employers become subscribers to the occupational disease fund for the compensation of occupational diseases and thereafter upon the expiration of the respective periods for which payments into the fund have been made by them.

And provided that such employers who desire to pay individually the compensation on account of occupational diseases of their employes upon the terms and conditions provided in section 1465-69, General Code, may pay such compensation upon compliance with and satisfaction of all the terms and conditions of said section. Except in lieu of the payments required to be paid into the surplus of the state insurance fund by said section, such employer shall pay into the occupational disease fund such amount or amounts as are required to be credited to the surplus of such fund as provided in section 1465-53a, General Code. Such employers as are permitted to pay such compensation individually shall be entitled to all the benefits and immunities and subject to all of the liabilities and penalties to which employers who elect to pay directly the compensation of injured employes under the provisions of section 1465-69, General Code, are entitled or subjected under the workmen's compensation law of the state of Ohio, except as herein provided.

When claims  
shall be barred.

Sec. 1465-72b. In all cases of occupational disease, or death resulting from occupational disease, claims for compensation shall be forever barred, unless, within two months after the disability due to the disease began, application shall be made to the industrial commission of Ohio, or to the employer in the event such employer has elected to pay compensation direct, except in such cases as are provided for in section 1465-82, subdivision 4, General Code.

Commission not  
bound by technical or formal  
rules in making  
investigations.

Sec. 1465-91. Such commission shall not be bound by the usual common law or statutory rules of evidence or by any technical or formal rules of procedure, other than as

herein provided; but may make the investigation in such manner as in its judgment is best calculated to ascertain the substantial rights of the parties and to carry out justly the spirit of his act, provided that no compensation shall be paid to any claimant on account of any occupational diseases, the existence of which is denied, unless a medical advisor appointed by the commission shall have examined such claimant for the purpose of determining the existence of such disease, and the approximate time, place and cause of its inception; and when an employe is claimed to have died from an occupational disease, no award shall be paid to the dependents of such deceased person until a medical advisor appointed by the commission shall have had opportunity to examine the body of such deceased person for the purpose of determining the cause of death.

Sec. 1465-99a. Every physician in this state attending on or called in to visit a patient whom he believes to be suffering from an occupational disease as defined in this act shall, within forty-eight hours from the time of making such diagnosis, send to the industrial commission of Ohio a report stating: (a) name, address and occupation of patient; (b) name and address of business in which employed; (c) nature of disease; (d) name and address of employer of patient; (e) such other information as may be reasonably required by the industrial commission of Ohio.

Report by physician to commission within 48 hours.

The reports herein required shall be made on blanks to be furnished by the industrial commission of Ohio. The mailing of the report within the time stated in a stamped envelope addressed to the office of the industrial commission of Ohio shall be a compliance with this section.

Blank forms for report.

Reports made under this section shall not be evidence of the facts therein stated in any action arising out of a disease therein reported.

It shall be the duty of the industrial commission of Ohio within twenty-four hours after the receipt of such report to send a copy thereof to the employer of the patient named in the report.

Copy of report sent to employer.

Whoever being a physician practicing in the state of Ohio neglects or refuses to make and transmit to the industrial commission of Ohio the report provided for in this section shall be fined not to exceed one hundred dollars or imprisoned for not to exceed ninety days, or both, but no person shall be imprisoned under this section for a first offense, and the prosecution shall always be as and for a first offense unless the affidavit upon which the prosecution is instituted contains the allegation that the offense is a second or repeated offense. The industrial commission of Ohio is directed to enforce the penal provisions of this section.

Penalty for neglect or failure of physician to make report.

Sec. 1465-103. As a part of its annual report such commission, under the oaths of at least two of its members, shall make a report for the preceding fiscal year, of the number of awards made by it, a general statement of the

Annual report by commission.

causes of accidents leading to the injuries for which awards were made, a general statement of the causes of occupational diseases for which awards were made, and a detailed statement of the condition of its respective funds. In such report, it may bring to the attention of the governor such diseases arising out of and due to industrial processes as it believes should be made compensable as occupational diseases.

Collection and distribution of information by commission.

From time to time the commission may collate such general information as to the business transacted by the department as in its judgment may be desirable for distribution to employers and employees.

General duties of employers.

Sec. 6330-1. General duties of employers. Every employer shall, without cost to the employees, provide such reasonably effective devices, means and methods as shall be prescribed by the industrial commission of Ohio, to prevent the contraction by its employees of illness or disease incident to the work or process in which such employees are engaged.

Repeals

SECTION 2. That original sections 1465-46, 1465-56, 1465-91, 1465-103 and 6330-1 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 20, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

91 G.

[House Bill No. 129.]

## AN ACT

To amend sections 7807, 7821, 7821-1, 7821-2, 7823-1, 7829 and 7851 of the General Code, to add supplemental sections 7807-11, 7807-12 and 7821-3 to the General Code and to repeal section 7850 of the General Code, pertaining to teachers' certificates.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 7807, 7821, 7821-1, 7821-2, 7823-1, 7829 and 7851 of the General Code be amended, and that supplemental sections 7807-11, 7807-12 and 7821-3 be added to the General Code to read as follows:

To whom life certificates may be issued; record of proceedings.

Sec. 7807. The board thus constituted may issue life certificates to such persons as possess the scholarship required in the several sections of this chapter and exhibit satisfactory evidence of good moral character and of professional experience and ability. A record of the proceed-

ings and of each certificate granted shall be kept in the office of the superintendent of public instruction.

Sec. 7807-11. Notwithstanding the provisions of sections 7807-1 and 7807-2, General Code, the state board of school examiners, upon recommendation of the superintendent of public instruction shall issue without examination to a holder of a five year or an eight year certificate a life certificate of similar kind.

When life certificates may be issued to holder of five or eight year certificate.

Such board may issue to a person recommended by the superintendent of public instruction and who has completed fifty months of teaching experience a state life elementary or special certificate if such person is a graduate of a two-year course adapted to the preparation of a teacher for the given type of service or a state life high school certificate if such person is a graduate of a four-year college course.

Life, elementary or special certificate.

Sec. 7807-12. The state board of school examiners may issue without examination to a person who has had at least fifty months of experience in teaching satisfactory to such board and who has the qualifications prescribed for certain provisional certificates under the authority of sections 7807-5, 7807-9 and 7807-10, General Code, a state life certificate to teach such subjects in such grades and classes as he would be entitled to teach on the corresponding provisional certificate which he is qualified to receive.

Life certificate to teach certain subjects in certain grades.

Sec. 7821. County boards of school examiners may grant teachers' certificates which shall be valid in all village and rural districts of the respective counties. Not more than three one-year certificates and not more than one three-year certificate may be issued upon examination to any one person. Such three-year certificate may be renewed twice only on proof of successful teaching.

Certificates granted by county boards.

All such county certificates other than temporary certificates shall be valid for one, two or three years from the first day of September following the day of the examination, except that certificates earned on the first Saturday of September shall be valid from that day to the first of the first, second or third September following.

Sec. 7821-1. Five-year and eight-year certificates shall be renewed by the superintendent of public instruction upon proof of the successful teaching of the holders thereof. Each application for renewal shall be accompanied by a fee of fifty cents. Such renewals shall be of state-wide validity.

Renewal of five and eight year certificates.

Five-year and eight-year certificates that were permitted to expire without application for renewal at the time of such expiration may be renewed by the superintendent of public instruction upon proof that the holders thereof have taught successfully for five years.

Sec. 7821-2. Two-year and three-year primary, special elementary and high school certificates which are re-renewals of certificates granted prior to May 17, 1914, may be renewed an indefinite number of times by local boards of examiners upon proof that the holders continue to teach successfully.

Two-year, three-year and special certificates; renewals.

Renewal by  
superintendent  
of two and  
three year cer-  
tificates.

Sec. 7821-3. A two-year or three-year certificate which is a renewal of a certificate issued prior to September 1, 1914, may be renewed as a five-year certificate by the superintendent of public instruction if the holder has taught eight years, provided the holder is proved successful and progressive to the satisfaction of the superintendent of public instruction. Each application for such renewal accompanied by a fee of fifty cents shall be filed in the office of superintendent of public instruction.

Qualifications of  
applicants for  
high school and  
special certifi-  
cates.

Sec. 7823-1. Applicants for high school and special certificates, except certificates to teach in classes supported with federal aid under the supervision of the state board of education, shall hold certificates of graduation from a first grade high school or the equivalent, in addition to the training required in section 7823, General Code.

Kind of cer-  
tificates issued  
by local boards.

Sec. 7829. Three kinds of teachers' certificates only shall be issued by local boards of examiners, which shall be styled respectively "teacher's elementary school certificate" valid to teach all branches in elementary schools including elementary branches in junior high schools and branches provided by authority of section 7648, General Code, and for elementary supervisors; "teacher's high school certificate" valid to teach all branches in recognized high schools and junior high schools and for superintendents, county normal directors and city normal school teachers, not including such assistants as are model school critic teachers or special teachers; and "teacher's special certificate" valid in schools of all grades, but only for the branches of study named therein.

Fees and per  
diem of city  
examiners.

Sec. 7851. The fees and per diem of city examiners for conducting such investigation as provided in section 7827, General Code, at three dollars a day each, and other expenses of such trial shall be certified to the city auditor by the clerk and president of the examining board, and be paid out of the city treasury upon the order of the city auditor.

Repeals.

SECTION 2. That section 7850 and original sections 7807, 7821, 7821-1, 7821-2, 7823-1, 7829 and 7851 of the General Code be, and the same are hereby repealed.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 19, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 6th day of May, A. D. 1921.

92 G.



[House Bill No. 254.]

## AN ACT

To authorize the boards of education of rural school districts and village school districts to fund deficiencies, issue bonds and to levy taxes for such purposes.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. For the purposes of this act:

"Subdivision" means a rural school district or a village school district.

"Subdivision" defined.

"Deficiency" means the total sum of the following:

1. The unfunded obligations of a subdivision created prior to and outstanding on March 1, 1921, and due on or before said date, or to become due thereafter during the year ending July 1, 1921, of the subdivision, for the payment of which sufficient funds are not in the treasury thereof on March 1, 1921, or estimated to come into such treasury thereafter during the year ending July 1, 1921, from taxes and other sources of revenue, to the extent of the excess of such obligations over and above such funds on hand and estimated future receipts applicable to the payment thereof and not needed to pay the fixed charges against the appropriate funds and the current expenses payable therefrom for the remainder of the year ending July 1, 1921. The unfunded obligations to include all charges against such subdivision, for which bonds have not been issued, of every kind and description whatsoever whether such debts are secured by notes or not.

"Deficiency" defined.

2. The excess, if any, of the estimated aggregate fixed charges and current expenses of subdivisions for the remainder of the year ending July 1, 1921, over and above the levies from taxes and other sources estimated to come into such treasury after March 1st, 1921, and applicable to such fixed charges and current expenses. "Fixed Charges" include salaries, wages, payment of contracts for fixed or regular services, as for light, heat, power, water or gas. It excludes funded debt service, expenditures for permanent improvements and such ordinary expenses as are included within the scope of "Current Expenses" as hereinafter defined. "Current Expenses" include such items of expense as the repair and maintenance of property, the purchase of supplies and equipment of a consumable nature, other than such as are herein referred to as "Fixed Charges." It excludes funded debt service, expenditures for permanent improvement and such expenditures as are included within the scope of "Fixed Charges" as hereinbefore defined.

The foregoing enumeration of expenses as "Fixed Charges" and "Current Expenses" is descriptive and not exclusive or definitive; and matters and things similar in nature to those mentioned under each heading and not expressly excluded from either, shall be included within the scope of said terms.

"Fixed charges" and "current expenses" shall include, what.

Financial state-  
ment by clerk  
required; con-  
tents.

**SECTION 2.** The board of education of a subdivision by resolution, may direct the clerk of the subdivision to make up a financial statement of such subdivision as of the 1st day of March, 1921. Such clerk shall immediately make up and file such statement with the president of the board of education of the subdivision. Such statement shall contain:

1. Balance outstanding to the credit or debit of the several funds excepting sinking funds, on the books of the subdivision on March 1st, 1921.

2. A showing in detail of the outstanding unfunded indebtedness of such subdivision on March 1st, 1921, whether represented by notes, other certificates of indebtedness, accounts payable or otherwise with the dates of maturity thereon.

3. An estimate of the amount necessary to provide for the fixed charges and current expenses of the subdivision for the year ending July 1, 1921, including obligations for such "Fixed Charges" and "Current Expenses" incurred prior to March 1st, 1921, and payable within the then current fiscal year.

4. The amount of taxes estimated to come into the treasury of such subdivision during the remainder of the year ending July 1, 1921, and applicable to the purposes of such year.

If such clerk finds there is a deficiency existing in the funds of the subdivision, he shall certify the amount thereof, under oath on such statement.

Resolution as to  
deficiency; issue  
and sale of  
bonds.

**SECTION 3.** Thereupon the board of education by resolution passed by an affirmative vote of two-thirds of all their members, elected or appointed, shall determine whether or not such deficiency exists, and the amount thereof, which shall not be greater than that certified to it by the clerk, and may issue and sell bonds of the subdivision in the amount so determined, for the purpose of funding the deficiency of the subdivision.

Denomination of  
bonds and pe-  
riod to run  
fixed.

**SECTION 4.** All bonds issued under the authority of this act shall be in denomination to be determined by the taxing authorities and shall run for a period not exceeding ten years. They shall be executed as are other bonds of the subdivision, shall express on their face the purpose for which they are issued and shall bear interest at a rate not to exceed six per cent (6%) per annum, payable semi-annually, and shall be sold for not less than par and accrued interest.

First offered to  
industrial com-  
mission.

Such bonds shall first be offered to the industrial commission of the state of Ohio at par and accrued interest, and upon their refusal to purchase said bonds, shall be advertised for public sale and sold for not less than par and accrued interest. If sold at public sale said bonds shall be sold to the highest and best bidder after publishing a two weeks' notice thereof once a week for two consecutive weeks in one newspaper printed and of general circulation in the county where such subdivision is situated. Such notices

Sale of to  
highest bidder,  
when.

must set forth the nature, amount, rate of interest, and length of time the bonds have to run, with the time and place of sale. The bids must be sealed and the bonds will be sold to the highest bidder. When such bonds have been once so advertised and offered for public sale, and they remain unsold, they may be sold at private sale at not less than par and accrued interest.

SECTION 5. For the payment of the interest on such bonds and to provide a sinking fund for their redemption at maturity, sufficient taxes on all the taxable property in the subdivision shall be levied annually. All interest and sinking fund levies on account of bonds issued in accordance with this act, shall be excluded from the operation of any and all limitations on tax rates imposed by any law now enforced.

Sinking fund  
for redemption.

Such bonds shall not be counted in ascertaining any of the limits prescribed by law upon the creation of bonded indebtedness or the total amount of outstanding bonded indebtedness of such subdivision.

Not counted in  
ascertaining in-  
debtedness.

SECTION 6. The proceeds of such bonds shall be used for the purpose of taking care of such deficiencies and shall not be used for any other purposes.

Use of proceeds.

This act is not  
of a general and  
permanent na-  
ture and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 19, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 6th day of May, A. D. 1921.

93 G.

[House Bill No. 156.]

## AN ACT

To regulate freight rates in relation to minimum weights in carload shipments of livestock.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 504.4.

SECTION 1. Any company owning or operating a railroad in whole or in part in this state, which receives livestock for shipment in carload lots, shall be governed and regulated by the following rules and regulations relative to the intrastate rates and minimum weights to be charged in carload lot shipments of livestock.

Rules and regu-  
lations relative  
to carload ship-  
ments of live-  
stock.

Such company receiving hogs for carload lot shipments in cars of a length of 36.7 feet, or under, shall make the rate charge on a basis of a minimum weight of not over 16,000 pounds for single deck cars, and 22,000 pounds for double deck cars. In cars of a length exceeding 36.7 feet,

Specifications  
relating to  
shipment of  
hogs.

and not over 40 feet, the rate charged shall be on a basis of a minimum weight of not over 17,000 pounds for single deck cars, and 23,000 pounds for double deck cars. In cars over 40 feet in length the rate charged shall be on a basis of a minimum weight of not exceeding 18,000 pounds for single deck cars and 24,000 pounds for double deck cars.

Shipments of  
mixed livestock.

If such company receive for shipment a car containing a mixture of hogs, cattle and sheep or any two of them, the freight rate charged shall be based upon the same animal classification as is used to determine the minimum freight weight. It shall be the duty of the public utilities commission to enforce the provisions of this section.

The sectional  
number on the  
margin hereof  
is designated as  
provided by law.  
JOHN G. FRICK,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 21, 1921.  
Approved May 5, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 6th day of May, A. D. 1921.

94 G.

[Re-Amended Senate Bill No. 178.]

## AN ACT

To supplement sections 6212-15 and 6212-17 of the General Code, relating to intoxicating liquor and to provide further restrictions as to permitted uses thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 6212-15 of the General Code be supplemented as follows:

Restrictions as  
to permitted  
uses of intoxi-  
cating liquor.

Sec. 6212-15a. Notwithstanding the provisions of section 6212-15 of the General Code, no intoxicating liquor except pure grain or ethyl alcohol or spiritous liquor in quantities of one-half pint in any period of ten days, for the aged, infirm and known sick or alcoholic medicinal preparations which have been named or hereafter shall be named by the Federal Prohibition Commissioner and held to be fit for beverage purposes and listed in the U. S. P. and N. F. shall be manufactured, sold, prescribed or dispensed for medicinal purposes.

Manufacture  
and sale prohib-  
ited without  
permit

Sec. 6212-15b. No person unless he first obtains a permit in conformity with the federal prohibition law in reference thereto, as may be required, to manufacture, use, sell, purchase or transport liquor, or to prescribe alcohol, or to sell wine for sacramental purposes, or to manufacture liquor, or liquor preparations or compounds for non-beverage purposes, or to manufacture liquor, or liquor prep-

arations or compounds for non-intoxicating beverage purposes, shall manufacture, use, sell, purchase or transport any liquor, or prescribe alcohol, or sell wine for sacramental purposes, or manufacture any liquor preparations or compounds for non-beverage purposes, or manufacture any liquor, or liquor preparations or compounds for non-intoxicating beverage purposes, respectively, and, further, unless the person obtaining such permit shall also within ten days after receiving the same file a copy thereof with the commissioner of prohibition of Ohio; provided that an affidavit of the person to whom the permit has been issued, or his agent, to the effect that the same is a true copy of the original permit, shall be attached to said copy. The commissioner of prohibition of Ohio on receiving said copy shall immediately file the same, and appropriately index the same in a separate book to be kept for that purpose in his office, which book shall be at all times open to public inspection; provided, further, that this act shall not apply to ethyl alcohol lawfully denatured in accordance with the formulae prescribed by the commissioner of internal revenue under the provision of section 10, of title III of the National Prohibition Act, or any amendments thereto.

Copy of permit filed with commissioner of prohibition; filing and indexing of permit.

SECTION 2. That section 6212-17 of the General Code be supplemented as follows:

Sec. 6212-17a. If any person, not the holder of any permit, as provided in the preceding section, be convicted for a violation of any state or federal law relating to intoxicating liquors, and said conviction is unreversed, it shall thereafter be unlawful for the space of two years for such person, to sell or otherwise deal in, for any purpose, any liquid or compound, whether or not the same is medicated, proprietary or patented, or by whatever name called, containing one-half of one per cent or more of alcohol by volume, and, after said two years, it shall likewise be unlawful for said person so to do, unless said person so convicted shall execute before and file with the commissioner of prohibition of Ohio, a good and valid bond, payable to the state of Ohio, in the sum of not less than two thousand dollars nor more than ten thousand dollars, with sureties acceptable to the commissioner of prohibition of Ohio that such person will not violate any law relating to intoxicating liquors, and will pay all fines and costs assessed against him for violating any such law. Provided that this section shall not apply to a registered pharmacist or physician except when convicted for trafficking in intoxicating liquor for beverage purposes.

Conviction prevents violator from selling or dealing for two years, and thereafter unless bond given.

Sec. 6212-17b. An unreversed judgment of conviction of a person holding a permit, for the violation of any of the laws of this state or of the United States, relating to intoxicating liquors, or an unreversed revocation of any such permit issued under authority of the federal law, a copy of which permit has been filed with the commissioner of prohibition of Ohio, as provided herein, shall automatically

When copy of permit stricken from files.

Application for  
order to stay  
judgment.

have the effect of striking the copy of said permit from the files of the commissioner of prohibition of Ohio, and the commissioner of prohibition of Ohio on receiving a certified copy of the docket or the journal entry showing said conviction, shall make an entry in his register showing that the copy has been stricken from the files; provided, however, that any person so convicted may, within ten days after any such conviction before any justice of the peace, magistrate, police court, or any other court not of record in the county, apply to any court of record in the county or a judge thereof in vacation, for an order staying such judgment so far as it affects the striking of such copy of such permit from the files, and upon good cause shown, the court or judge thereof may order such stay until such time as such conviction shall be finally determined. When such copy has been stricken from the files, it shall thereafter for the space of two years be unlawful for the person who filed the same to engage in the business for which said permit was issued, and it shall likewise be unlawful after said two years for said person so to do, unless a new permit be issued and copy filed as herein provided; provided, however, where an appeal is taken or error is prosecuted, and the judgment of conviction is reversed, the person whose copy of permit has been stricken from the files shall be entitled to have the same re-filed, as in the beginning.

Action to  
strike permit  
from files; who  
may bring.

Sec. 6212-17c. Any officer charged with the duty of enforcing the laws of this state, or of the prohibition laws of this state or of the United States, or any taxpayer of this state having good and sufficient reason to believe that the laws of this state or of the United States relating to intoxicating liquors or valid regulations made thereunder are being violated by any person, a copy of whose permit is on file in the office of the commissioner of prohibition of Ohio, may commence under oath, in the county in which said permit holder resides, or in any county where he may be legally served with summons, an action in any court having equity jurisdiction, to strike from the files of the commissioner of prohibition of Ohio, the copy of such permit, and to cancel and revoke all privileges granted thereunder. Such action shall be an action in equity for an injunction, and if the court shall find that the defendant, the holder of the permit in question, is violating or has violated such law, then such court shall issue a decree enjoining the defendant from continuing the business authorized by said permit, a copy of which is filed with the commissioner of prohibition of Ohio, and upon the filing of a certified copy of said decree with the commissioner of prohibition of Ohio, the commissioner of prohibition of Ohio shall strike said copy of permit from his file.

Prosecution of  
error or appeal.

A defendant who has been enjoined from continuing his business, under a permit, may prosecute error, or take an appeal as in other cases provided, and in case of reversal

of said decree of injunction, he shall be entitled to have a copy of his permit re-filed, as in the first instance.

Sec. 6212-17d.

SECTION 3. That whoever violates any of the provisions of this act shall, upon conviction, be punished as provided in section 6212-17 of the General Code.

Penalty.

Sec. 6212-17e.

SECTION 4. That it shall be the duty of the commissioner of prohibition of Ohio to enforce the provisions of this act, and in so doing said commissioner, deputy and inspectors shall have the same rights and privileges as are granted under an act known as Amended Senate Bill No. 17, passed February 2, 1921, and approved February 9, 1921.

Enforcement of law.

Sec. 6212-17f.

SECTION 5. Any justice of the peace, mayor, municipal or police judge, probate or common pleas judge, shall have final jurisdiction within their respective counties of all misdemeanors in such counties under this act.

Courts having final jurisdiction.

Sec. 6212-17g.

SECTION 6. Except as herein provided, error proceedings in cases arising hereunder shall be governed by the provisions of section 6212-20 of the General Code.

Law governing error proceedings.

SECTION 7. That all provisions of law inconsistent with this act are repealed only to the extent of such inconsistency.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
President of the Senate.

RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed April 20, 1921.

Approved May 5, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 6th day of May, A. D. 1921.

95 G.

[Senate Bill No. 238.]

## AN ACT

To amend sections 8648 and 8649 of the General Code by providing for the renewal of charters of corporations formed to buy or sell real estate.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 8648 and 8649 of the General Code be amended so as to read as follows:

Sec. 8648. A corporation formed to buy or sell real estate, shall expire by limitation in twenty-five years from the date on which its articles of incorporation were issued by the secretary of state unless before twenty-four years from the date on which such articles were issued the corporation shall file with the secretary of state a certificate that a meeting of its stockholders called for the purpose of considering a

Life of corporations to deal in real estate; renewal of such charters.

renewal of the charter three-fourths of all the votes cast at the meeting were in favor of a renewal of the charter in which case the corporation may continue with the same powers and subject to the same obligations as when originally created for an additional period of twenty-five years and the secretary of state shall issue a certificate of renewal of its articles of incorporation for such period. Ten days' notice of the time and place of holding such meeting and the object thereof shall be given by registered letter containing a written or printed notice addressed to each of the persons in whose names the stock of the corporation stands on its books and also by like notice published in some newspaper in the city or village where the corporation has its principal office or place of business. When all the stockholders are present at such meeting in person or by proxy, notice may be waived in writing. For each share of stock on which all the installments called for by the board of directors are paid the holder thereof shall be entitled to one vote and the voting shall be by ballot cast in person or by proxy.

Procedure if  
real estate not  
disposed of in  
twenty-four or  
forty-nine years.

Sec. 8649. If within twenty-four years from the date of its articles, or forty-nine years from such date if its articles are extended, the real estate of such corporation is not wholly disposed of, its directors shall at once bring an action against it, and the owners of liens upon such real estate, in the common pleas court of the county wherein such realty is situated, by filing a petition praying for its sale as therein described. Should the board not begin such action within sixty days after such twenty-four years, or forty-nine years if the articles are extended, expire the prosecuting attorney of the county in which the realty is situated, on the expiration of the sixty days at once shall begin and prosecute it.

SECTION 2. That original sections 8648 and 8649 of the General Code be, and the same are hereby repealed.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 28, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.



[House Bill No. 276.]

## AN ACT

To provide for the completion of a section of highway in Henry county, known as Section A of Inter-county Highway No. 457, Toledo-Napoleon Road, and declaring an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The state highway commissioner is hereby authorized and directed to prepare plans, profiles, specifications and estimates for the completion of a section of highway in Henry county, known as Section A of Inter-county highway No. 457, Toledo-Napoleon Road, the original contract for the construction and improvement of which was entered into August 17, 1916, according to the original plans, profiles and specifications therefor, as nearly as may be practicable; and to advertise for bids, and enter into and carry to completion a contract for said improvement in accordance with sections 1206 and following, of the General Code.

Completion of  
Sec. A of Inter-  
county highway  
No. 457, Henry  
county, author-  
ized.

SECTION 2. That said state highway commissioner be, and he is hereby authorized and directed to use in the completion of said improvement the aforesaid balance, to-wit: \$10,417.42 now in the county treasury, and \$9,175.91 now in the state treasury, remaining from the fund originally provided for said improvement, which latter amount is hereby appropriated for such purpose out of any moneys in the state treasury to the credit of the state highway improvement fund and not otherwise appropriated, and to use in addition such funds as may be necessary from moneys appropriated by the General Assembly from the state highway improvement fund to the construction, improvement, maintenance and repair of highways.

Appropriation.

SECTION 3. This act is hereby declared to be an emergency act necessary for the immediate preservation of the public safety of the state and shall take effect at once upon its passage and approval by the governor. The reason therefor being that this section of the highway being in an unfinished state leaves it in a dangerous condition, thereby imperiling the safety of those passing over it, and unless such work is completed soon, the entire investment of public funds will be wasted.

Emergency act.

This act is not  
of a general and  
permanent na-  
ture and re-  
quires no sec-  
tional number.  
JOHN G. FAIRC,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 28, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

[House Bill No. 289.]

## AN ACT

To provide for the improvement of the site of Fort Laurens.

*Be it enacted by the General Assembly of the State of Ohio:*Improvement of  
Fort Laurens;  
appropriation.

SECTION 1. That the Ohio state archaeological and historical society is hereby authorized and directed to improve appropriately the property purchased by the state on which is located the site of Fort Laurens and to provide for its maintenance on a self supporting basis.

SECTION 2. That there is hereby appropriated from the general revenue fund of the state not otherwise appropriated three thousand dollars to be used in said improvement under the direction of the Ohio state archaeological and historical society. All money expended for such improvement shall be paid by warrant of the state auditor on itemized vouchers signed by the president and secretary of said society.

This act is not  
of a general and  
permanent na-  
ture and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 27, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

98 G.

[Substitute Senate Bill No. 194.]

## AN ACT

To provide for the preparation and submission to the General Assembly of a code of laws regulating insurance.

*Be it enacted by the General Assembly of the State of Ohio:*Code of laws  
regulating in-  
surance compa-  
nies; prepara-  
tion and sub-  
mission.

SECTION 1. That the superintendent of insurance be and he is hereby empowered to prepare and submit to the General Assembly a code of laws regulating insurance companies and their business.

Codification.

SECTION 2. That in performing said work the superintendent of insurance shall bring together all statutes and parts of statutes relating to insurance, omitting redundant and obsolete enactments, making alterations to harmonize the statutes with the constitution as construed by the courts, reconcile contradictions, supply omissions and amend imperfections in the statutes, rejecting all equivocal and ambiguous words and circuitous and tautological phraseology. He shall arrange the said code under suitable titles, when

prepared by him, and divide and subdivide the same under suitable heads, reducing the same to a concise and systematic code of laws.

SECTION 3. When the superintendent has completed his work hereunder, he shall submit his report and code of laws to the General Assembly.

Submission to  
General Assem-  
bly.

SECTION 4. Said superintendent shall have power to employ such assistance and clerks as he may deem proper, and to have printed by the state printing commission copies thereof for distribution among the members of the General Assembly. The expenses for such assistants and clerks, and other necessary expense, shall be paid as the work progresses upon vouchers signed by the superintendent of insurance.

Employment of  
assistance.

SECTION 5. For the purpose of paying the expenses connected with the work hereunder, there is hereby appropriated from the general revenue fund of the state, not otherwise appropriated, the sum of five thousand dollars.

Appropriation.

This act is not  
of a general and  
permanent na-  
ture and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

99 G.

[House Bill No. 268.]

## AN ACT

Authorizing the superintendent of the public works of the state of Ohio to lease certain canal and reservoir lands to the village of Millersport, Fairfield county, Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the superintendent of the public works of the state of Ohio, subject to the approval of the governor and attorney-general, be and he is hereby authorized to lease to the village of Millersport, Fairfield county, Ohio, for the term of ninety-nine (99) years, renewable forever, for street, highway, and sidewalk purposes, upon such terms as he may deem equitable, taking into consideration, however, the benefits that will accrue to the patrons of Buckeye Lake and to the public in general, the following described canal and reservoir property:

Authority to  
lease certain  
canal and res-  
ervoir lands to  
Millersport.

That portion of the towing-path embankment of the abandoned Ohio Canal property in Section 28, Town 17,

Description.

Range 18, Fairfield county, Ohio, commencing at the easterly line of Lancaster street in the village of Millersport, Fairfield county, Ohio, where the same intersects said abandoned Ohio canal, and extending thence northeasterly, including the full width of said towing-path embankment, 1950 feet, more or less, to the intersection of said towing-path with what is commonly known as the "Summerland Beach road," and extending thence easterly over the berme embankment of Buckeye Lake on the south shore thereof that is now occupied by the "Summerland Beach road," a distance of 1200 feet, more or less, to the east line of said Section 28 referred to above.

How lease shall be granted.

SECTION 2. Such lease shall be granted in strict conformity with the provisions of the General Code relating to the leasing of canal lands, except that the length of such lease shall be for the term of ninety-nine (99) years, renewable forever, and such lease shall contain a clause providing for the reappraisal of the property described in such lease at the end of each fifteen (15) year period, but the superintendent of public works in making such re-appraisements shall take into consideration the value of the improvements made by the municipality and likewise the benefits to accrue to the patrons of Buckeye Lake and the public in general.

Improvements shall be made.

SECTION 3. The village of Millersport, by its proper authorities, shall make valuable improvements thereon to the satisfaction of the superintendent of the public works of the state of Ohio, within three (3) years from the date of the approval of this act by the Governor, unless prevented by injunction proceedings, and upon its failure to do so, the superintendent of public works may cancel the same and resume control of the property in the name of the state of Ohio.

Maintained as public street.

SECTION 4. The canal and reservoir property to be leased under the terms of this act, shall be kept open and maintained as a public street or highway by the village of Millersport for the free use of the public forever.

Approval of plans.

SECTION 5. Before the work of improving the canal and reservoir property herein leased is commenced, the plans for such improvements shall first be approved by the superintendent of public works, and the work thereon shall be performed in accordance with such plans.

Reservation.

SECTION 6. The lease for the canal and reservoir property to be leased under the terms of this act shall contain a clause reserving to the state of Ohio by its proper authorities the right to enter upon said property and make such improvements thereon as the superintendent of public works may deem necessary for the convenience of the public.

Authority to levy assessment.

SECTION 7. The said village of Millersport shall have authority to levy assessments upon the abutting property for the purpose of making such improvements upon the property herein described as the council of said village may by ordinance determine the same as if it owned the land by title in fee simple, and said village shall also have authority

to levy assessments for such improvements upon property in the vicinity of the south shore of Buckeye Lake where the principal means of ingress and egress to and from such property is over the street or highway to be constructed over the property to be leased under the terms of this act, but such assessments shall not apply to the construction of sidewalks except to the owners of abutting property.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

100 G.

[House Bill No. 397.]

## AN ACT

To provide for the publication of the diary and letters of President Rutherford B. Hayes.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. When the Ohio State Archaeological and Historical Society, through its secretary, shall notify the commissioners of public printing that there has been prepared, from manuscripts in the possession of said society, copy for the publication of the diary and letters of President Rutherford B. Hayes covering the period of his life or any portion thereof, properly edited and annotated under the direction of said society, the commissioners of public printing shall determine the number of copies of such diary and letters to be printed and provide for the publication of the same, using as nearly as possible the grade of paper and kind of binding to correspond with "The Life of Rutherford Birchard Hayes," the plates of which are now in the possession of said society.

Diary and letters of R. B. Hayes; publication of, authorized.

SECTION 2. Each volume of said diary and letters shall consist of not less than two thousand copies which shall be distributed as follows: to the state library to be used for exchanges one hundred copies; to each public library of the state one copy; the remaining copies shall be distributed by the Ohio State Archaeological and Historical Society in exchange for other publications which shall be retained as the permanent property of the state in the library of said society.

Number of and distribution of copies.

SECTION 3. The commissioners of public printing may order the publication of such number of additional copies

Additional copies; selling price.

of the diary and letters as they deem proper. On application each member of the general assembly may receive one copy of said publication and the remainder may be sold at a price equal to the net cost of printing and binding.

Expense, how paid.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

SECTION 4. The expense of printing, illustrating, electrotyping and binding said diary and letters shall be paid from the appropriation for state printing.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

101 G.

[House Bill No. 292.]

## AN ACT

Authorizing the board of education of Byrd rural school district of Brown county, Ohio, to pay Alma Knechtly for services as teacher.

*Be it enacted by the General Assembly of the State of Ohio:*

Authority to pay Alma Knechtly.

SECTION 1. The board of education of Byrd rural school district, Brown county, Ohio, is hereby authorized to pay Alma Knechtly, for services rendered in such school district, out of any funds under the control of such board of education, not otherwise appropriated, the sum of five hundred and seventy dollars, in full payment for her services as such teacher during the six months or parts thereof, of the present school year, 1920-1921, during which time she did not possess a certificate, being payment in full at the rate agreed upon at the time she was employed, such payment to be made in the usual manner of paying teachers in said district.

SECTION 2. That the board of education of Byrd rural school district, Brown county, Ohio, in good faith employed Alma Knechtly to teach in the school of said district during the present school year, 1920-1921, knowing at the time she was employed that she did not possess a certificate, and with the understanding that when a certificate was obtained she would receive full pay for the year, and that she proceeded at once to obtain such training as would entitle her to a certificate, which she obtained after teaching almost six months, and that the board of education and its officers de-

sire to pay Miss Knechtly for her services rendered during the period she did not possess a certificate.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. FRICK,  
Attorney General.

C. C. CRABBE,  
*Speaker pro tem. of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 27, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

102 L.

[House Bill No. 219.]

# AN ACT

Authorizing the board of education of the Sardinia school district to issue bonds for the relief of E. P. Calvin, of Sardinia, Brown county, Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The board of education of the Sardinia school district of Brown county, Ohio, is hereby authorized to submit to the electors of such district at the primary election to be held the second Tuesday in August, 1921, the question of issuing the bonds of such school district in the sum of five thousand dollars to re-imburse E. P. Calvin, of Sardinia, Ohio, for loss sustained in the erection of a high school building at Sardinia, Ohio. Such loss was occasioned without any fault on the part of the said E. P. Calvin, but was caused by freight embargoes, greatly increased freight rates, wages, and cost of materials and conditions beyond his control resulting from the war.

Relief of  
E. P. Calvin,  
Sardinia, Brown  
county.

SECTION 2. Twenty days' notice shall be given by posting in at least five public places in the district. Such notice shall state specifically the amount of such bond issue and the purpose thereof. The question of such bond issue shall be printed in the ballots in the following manner:

Issue of bonds in the amount of five thousand dollars for the relief of E. P. Calvin.....Yes

Issue of bonds in the amount of five thousand dollars for the relief of E. P. Calvin.....No

If a majority of all the votes cast at such election upon the proposition are in favor thereof, the bonds provided for herein shall be considered authorized and shall be of such

denomination, payable at such time and place and at such rate of interest, not exceeding six per cent, as the board of education may determine.

SECTION 3. The proceeds arising from the sale of such bonds shall be paid to the said E. P. Calvin. The board of education shall make such levy in the manner provided by law as may be necessary to retire such bonds at maturity and pay the interest thereon. Such levy shall be outside all rate limitations specified in the General Code.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

103 L.

[House Bill No. 45.]

## AN ACT

To provide for the erection of an armory in the village of Winchester, Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

Erection of armory, Winchester, Adams county; appropriation.

SECTION 1. That there shall be erected in the village of Winchester, Adams county, Ohio, as provided by law, an armory and soldiers' monumental building; and there is hereby appropriated from the general revenue fund not otherwise appropriated, the sum of thirty thousand (\$30,000) dollars for the erection and equipment of such building; provided, however, that said sum shall not be available until the citizens of Winchester shall have deeded to the state of Ohio a lot suitable for a site for such building; and provided further that the citizens of Winchester shall furnish all equipment not needed for military purposes. The adjutant general is hereby authorized and directed to carry out the provisions of this act.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

104 G.



[House Bill No. 386.]

## AN ACT

To authorize the trustees of Norwalk township, Huron county, Ohio, to transfer a certain parcel of land to the county commissioners of Huron county for county fair purposes.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the trustees of Norwalk township, Huron county, Ohio, be and are hereby authorized and empowered to transfer to the county commissioners of Huron county the title to a parcel of thirty acres of land located in such township to be used for county fair purposes and to be controlled and managed by the Huron county agricultural society, the title to which is vested in such township trustees by an act passed by the General Assembly March 30, 1875, entitled "An act for the relief of Norwalk township, Huron county" (72 O. L. 245).

Trustees of  
Norwalk town-  
ship authorized  
to transfer cer-  
tain land to  
Huron county.

This act is not  
of a general and  
permanent na-  
ture and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

105 L.

[House Bill No. 362.]

## AN ACT

To authorize the Ohio Board of Administration, or its successor in trust, to convey to the city of Columbus, Ohio, an easement in a portion of the grounds of the Girls' Industrial School for the purpose of flooding the same for water supply purposes for the city of Columbus, and to settle the claim of the state of Ohio against said city of Columbus by reason thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the Ohio Board of Administration, or its successor in trust, be and it is hereby authorized, upon proper consideration paid by the city of Columbus, Ohio, to the state of Ohio, said consideration to be agreed upon between said city of Columbus, Ohio, and said board, to deed to said city of Columbus, Ohio, perpetual easement and right to flood such portion of the grounds of the state of Ohio occupied by the Girls' Industrial School, as is nec-

Authority to  
convey easement  
in portion of  
grounds of Girls'  
Industrial School  
to city of Co-  
lumbus.

essary for the impounding of said water for water supply for the city of Columbus; and for proper consideration to be paid by the city of Columbus, Ohio, to the state of Ohio, and to be determined by agreement between said city and said board, or its successor in trust, to settle any and all claims for damages accruing to said state of Ohio against said city of Columbus by reason of the impounding of the waters of the Scioto river, as aforesaid.

This act is not  
of a general and  
permanent na-  
ture and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

106 G.

[House Bill No. 372.]

## AN ACT

For the relief of R. W. Archer, treasurer of state.

*Be it enacted by the General Assembly of the State of Ohio:*

Relief for  
R. W. Archer,  
treasurer of  
state.

SECTION 1. That there be and is hereby appropriated out of any money in the state treasury to the credit of the general revenue fund not otherwise appropriated the sum of ten thousand nine hundred and three and eleven hundredths dollars (\$10,903.11) or so much thereof as may be found necessary to replace said bond and interest coupons or to reimburse said the Orrville Savings Bank of Orrville, Ohio, for the loss of said bond and interest coupons; and the auditor of state is hereby authorized to issue his warrant to the state treasurer in favor of said the Orrville Savings Bank of Orrville, Ohio, for said sum and to require and receive from said the Orrville Savings Bank Company an assignment to the state of Ohio of all the right, title and interest of said the Orrville Savings Bank in and to said bond and interest coupons to the end that the state of Ohio may be hereafter reimbursed in the event said bond or interest coupons should ever be found or the United States Government should hereafter redeem the same.

SECTION 2. That the said R. W. Archer be, and he is hereby relieved and discharged from any and all liability either to the state of Ohio or to the Orrville Savings Bank of Orrville, Ohio, by reason of the loss of said bond and interest coupons, and that any and all official findings against him in connection therewith be and are hereby cancelled and expunged.

SECTION 3. That the attorney general of Ohio is hereby authorized and directed to take such action and prosecute such proceedings as may be necessary or required to secure from the United States Government duplicates of such lost bond and coupons or an appropriation sufficient to reimburse the state of Ohio for the amount paid out by it under authority of this act.

WHEREAS, Some time between the 15th day of May and the 15th day of November, 1919, a certain U. S. Second Liberty Loan temporary bond No: 38218, for the principal sum of \$10,000.00 (ten thousand dollars) dated May 9th, 1918, with interest from its date at  $4\frac{1}{4}\%$  evidenced by two coupons for \$212.50 each attached, and due November 15, 1919, and May 15th, 1920, respectively, owned by the Orrville Savings Bank of Orrville, Ohio, and deposited with R. W. Archer, as treasurer of the state of Ohio, on October 14th, 1918, to secure the deposit of state insurance funds, was lost or inadvertently destroyed and said bond and interest coupons have not been found nor have said coupons been presented for payment at the United States Treasury, nor has said temporary bond been presented at the United States Treasury for conversion into a permanent bond; and

WHEREAS, A full investigation of the loss of said bond and attached coupons made by the proper state officers has resulted in a finding and report that said bond and attached coupons were probably accidentally mixed with the waste paper in said office by an employe while clipping interest coupons therefrom for delivery to owner bank, and subsequently baled and disposed of as waste paper, and that such loss was not due to the negligence of said R. W. Archer and did not in any manner reflect upon his integrity, but resulted rather from the inadequate facilities and equipment provided in his office for the safekeeping and handling of such securities; and

WHEREAS, Under the laws of Ohio and by the terms of his official bond said R. W. Archer is required and obligated to pay to said the Orrville Savings Bank of Orrville, Ohio, the value of said bond and the amount of the accrued interest on said bond at  $4\frac{1}{4}\%$  per annum from May 15th, 1919 to July 1st, 1921, which interest will amount to the sum of nine hundred and three dollars and eleven cents; and

WHEREAS, It is deemed inequitable and unjust that said R. W. Archer should personally bear the burden of such loss.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

[House Bill No. 196.]

## AN ACT

To provide for the election and appointment of an additional judge of the court of common pleas in Montgomery county.

Sec. 1532-1a.

Additional common pleas judge, Montgomery county.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. From and after the passage and taking effect of this act, there shall be one additional judge of the court of common pleas, in and for Montgomery county, who shall reside therein. Such additional judge shall have in every respect the same powers and jurisdiction, discharge and perform the same duties and be subject to the same provisions of law as other common pleas judges referred to in section 1532 of the General Code. He shall be elected in 1922 and every six years thereafter to hold his office for a term of six years commencing on the first of July next after his election, and shall receive the same compensation as is provided by law for the judges of the court of common pleas in Montgomery county, and vacancies, if any, in said office shall be filled as now provided by law. Until such additional judge is so elected and qualified, the governor shall appoint such additional judge.

The sectional number on the margin hereof is designated as provided by law. JOHN G. PRICE, Attorney General.

C. C. CRABBE,  
*Speaker pro tem. of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 27, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

108 G.

[Amended Senate Bill No. 118.]

## AN ACT

To amend section 2754 of the General Code, relative to the appointment of a deputy or deputies to aid county recorder.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That original section 2754 of the General Code be amended to read as follows:

Recorder may appoint deputy or deputies.

Sec. 2754. The county recorder may appoint a deputy or deputies approved by the court of common pleas to aid him in the performance of his duties. Such appointment or removal shall be in writing and filed with the county treasurer. The recorder and his sureties shall be responsible for his deputy, or deputies' neglect of duty or misconduct in office. Before entering upon the discharge of

his duty, the deputy or deputies shall take an oath of office.

SECTION 2. That original section 2754 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney*  
*General.*

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

109 G.

[Senate Bill No. 99.]

## AN ACT

To amend sections 2950 and 2951 of the General Code, relative to  
the burial of soldiers.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 2950 and 2951 of the General Code be amended to read as follows:

Sec. 2950. The county commissioners of each county shall appoint two suitable persons in each township and ward in the county, other than those prescribed by law for the care of paupers and the custody of criminals, who shall, with the approval of the family or friends of the deceased, contract at a fair and reasonable price, with the undertaker selected by said family or friends, and cause to be interred in a decent and respectable manner, the body of any honorably discharged soldier, sailor or marine having at any time served in the army or navy of the United States, or the mother, wife or widow of any such soldier, sailor or marine, or any army nurse who did service at any time in the army of the United States, who dies, not having the means to defray the necessary funeral expenses. Such burial may be made in any cemetery or burial ground within the state, other than those used exclusively for the burial of paupers and criminals.

Burial of soldier,  
mother, wife or  
widow; selec-  
tion of under-  
taker.

Sec. 2951. The committees so appointed shall use the forms of contracts herein prescribed, and abide by the regulations herein provided. Such committee shall hold their appointment so long as they serve to the satisfaction of the county commissioners, and when a vacancy occurs therein the commissioners shall appoint a suitable person to fill such vacancy. Such committee shall see that undertakers furnish all items specified in the contract, and that when the bene-

Duties of com-  
mittee; com-  
pensation; va-  
cancy.

fits of this provision are claimed the entire amount to be contributed by the county toward the cost of such funeral shall not exceed the sum of one hundred dollars, and that any remaining cost, if any, shall be paid by the family or friends of the deceased. The members of such committee shall receive one dollar each from the general fund of the county for each service so performed.

SECTION 2. That original sections 2950 and 2951 of the General Code be, and the same are hereby repealed.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

110 G.

[Amended Senate Bill No. 168.]

## AN ACT

To amend sections 3148-1 and 3148-3 of the General Code, in relation to hospitals for tuberculosis.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3148-1 and section 3148-3 of the General Code of Ohio be amended to read as follows:

Tuberculosis  
hospitals in  
certain counties.

Sec. 3148-1. The county commissioners of any county having more than 50,000 population as shown by the last federal census may, with the consent of the state department of health, provide the necessary funds for the purchase or lease of a site and the erection and equipment or lease and equipment of the necessary buildings thereon for the operation and maintenance of a county hospital for the treatment of persons suffering from tuberculosis. Any municipality within said county at present maintaining and operating a hospital for the treatment of tuberculosis may continue to maintain said hospital as a municipal hospital, or may lease or sell the same to the county.

Municipality op-  
erating hospital  
may maintain,  
sell or lease.

Trustees.

Sec. 3148-3. The county commissioners may constitute the board of trustees of such hospital.

SECTION 2. That original sections 3148-1, 3148-3 be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

111 G.

[Amended Senate Bill No. 213.]

# AN ACT

To amend section 4301 of the General Code, providing for the distribution of taxes and other moneys received by the county treasurer to municipal corporations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 4301 of the General Code be, and the same is hereby amended to read as follows:

Sec. 4301. On the first Monday of February and August in each year, the county treasurer shall pay over to the treasurer of the corporation, all moneys received by him up to that date, arising from taxes levied, and assessments made, belonging to the corporation. Moneys received from other sources for municipal corporations, shall be paid over by the county treasurer to the municipal corporations, on or before the 10th day of each month following the receipt or collections thereof.

Semi-annual  
distribution to  
municipalities

SECTION 2. That said original section 4301 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 28, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

112 G.

[Senate Bill No. 203.]

## AN ACT

To amend sections 2500 and 2501 of the General Code, relating to the powers of county commissioners concerning the treatment of indigent persons afflicted with diphtheria.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 2500 and 2501 of the General Code be amended to read as follows:

Application to health commissioner for antitoxin.

Sec. 2500. When a physician, regularly authorized to practice medicine under the laws of this state, is called upon to treat a person suffering from diphtheria who is in indigent circumstances, or a child suffering from diphtheria whose parents are in indigent circumstances, and he is of the opinion that antitoxin should be administered to such person or child or to others who may have been exposed to the contagion of such disease, he may make application to any health commissioner within the county therefor.

When antitoxin shall be paid for by county.

Sec. 2501. When satisfied of the indigent circumstances of the persons to be treated, such health commissioner may certify the fact to the county commissioners and immediately authorize the attending physician or any druggist to furnish such antitoxin for the persons so to be treated when such antitoxin is not available, as provided in section 1261-29 of the General Code. The antitoxin so furnished shall be paid for upon the allowance of the county commissioners from the general fund of the county.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original sections 2500 and 2501 of the General Code be, and the same are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

113 G.



[Senate Bill No. 152.]

## AN ACT

To amend section 8617 of the General Code, relating to deeds of gift and conveyance made in trust for the use of the person or persons making them.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 8617 of the General Code be amended to read as follows:

Sec. 8617. All deeds of gifts and conveyance of real or personal property made in trust for the exclusive use of the person or persons making the same shall be void and of no effect, but the creator of a trust may reserve to himself any use of power, beneficial or in trust, which he might lawfully grant to another, including the power to alter, amend or revoke such trust, and such trust shall be valid as to all persons, except that any beneficial interest reserved to such creator shall be subject to be reached by the creditors of such creator, and except that where the creator of such trust reserves to himself for his own benefit a power of revocation, a court of equity, at the suit of any creditor or creditors of the creator, may compel the exercise of such power of revocation so reserved, to the same extent and under the same conditions that such creator could have exercised the same.

Deeds, etc., made in trust for grantee, void; reservations permitted.

SECTION 2. That said original section 8617 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

114 G.

[Amended Senate Bill No. 207.]

## AN ACT

To amend section 7604 of the General Code, relative to the deposit of school funds.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 7604 of the General Code be amended to read as follows:

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

Deposit of  
school funds;  
limitation of  
amount in one  
bank.

Sec. 7604. That within thirty days after the first Monday in January, 1916, and every two years thereafter, the Board of Education of any school district by resolution shall provide for the deposit of any or all moneys coming into the hands of its treasurer. But no bank shall receive a deposit larger than the amount of its paid in capital stock and in no event to exceed one million dollars, except that in case the Board of Education shall find that it will be for the best interests of any school district such bank or banks shall be permitted to receive an amount in no event to exceed five million dollars.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That original section 7604 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

115 G.

[Substitute Senate Bill No. 212.]

## AN ACT

To amend section 2254, to supplement section 1480 by the enactment of supplemental section 1480-1 and to repeal sections 1495 and 2262 of the General Code relative to the appointment and compensation of the officers of the supreme court.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2254 of the General Code be amended and that section 1480 of the General Code be supplemented by the enactment of supplemental section 1480-1, to read as follows:

Salaries of  
officers.

Sec. 2254. The annual salaries of the officers of the supreme court herein named shall be:

Clerk of supreme court, four thousand dollars; supreme court reporter, three thousand dollars; law librarian, two thousand five hundred dollars.

Appointment of  
assistants, dep-  
uties, clerks,  
etc., by court;  
compensation,  
how fixed.

Sec. 1480-1. The supreme court may appoint such assistants, deputies, clerks, stenographers and other employes as may be necessary for the prompt and efficient discharge of the duties of the offices of the clerk, the reporter, and the librarian of the court, and the supreme court shall fix the compensation to be paid therefor, which compensation shall be paid from the state treasury in semi-monthly installments upon the approval of the supreme court. Any and every

appropriation authorized by the general assembly, for the payment of such compensation, may be distributed and paid among such several appointees hereinbefore referred to, as said court may, from time to time, direct.

SECTION 2. That said original sections 2254, 1495 and 2262 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

116 G.

[House Bill No. 321.]

## AN ACT

To amend section 614-44 of the General Code relating to the power of municipalities to fix rates, etc.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 614-44 of the General Code be amended to read as follows:

Sec. 614-44. Any municipal corporation in which any public utility is established may, by ordinance, at any time within one year before the expiration of any contract entered into under the provisions of sections 3644, 3982 and 3983 of the General Code between the municipality and such public utility with request to the rate, price, charge, toll, or rental to be made, charged, demanded, collected, or exacted, for any commodity, utility or service by such public utility, or at any other time authorized by law proceed to fix the price, rate, charge, toll or rental that such public utility may charge, demand, exact or collect therefore for an ensuing period, as provided in sections 3644, 3982 and 3983 of the General Code. Thereupon, the commission, upon complaint in writing of such public utilities or upon complaint of one percentum of the electors of such municipal corporation, which complaints shall be filed within sixty days after the passage of such ordinance, shall give thirty days' notice of the filing and pendency of such complaint to the public utility and the mayor of such municipality, of the time and place of the hearing thereof, and which shall plainly state the matters and things complained of.

Power of municipality to fix rate, price, change, etc.

Written complaint; hearing.

When commission shall fix rates.

Provided, however, if the council of any municipality fails by ordinance to regulate the rates to be charged by any public utility engaged in business of supplying water for public or private consumption within sixty days after the expiration of any lawful rate, such water company or one percentum of qualified electors of the municipality may petition the public utilities commission to fix the just and reasonable rates for the furnishing of such services, and the public utilities commission may thereupon proceed to fix the just and reasonable rates, tolls and charges for such services which may be charged for a period of two years from the date of the filing of such petition and thereafter until changed, altered or modified by the council of such municipality or further order of the commission upon like application.

Hearing upon accepted rates: procedure.

If any public utility shall have accepted any rate, price, charge, toll, or rental fixed by ordinance of such municipality, the same shall become operative, unless within sixty days after such acceptance there shall have been filed with the commission, a complaint signed by not less than three percentum of the qualified electors of such municipality. Upon such filing, the commission shall forthwith give notice of the filing and pendency of such complaint to the mayor of such municipality and fix a time and place for the hearing thereof. The commission shall, at such time and place, proceed to hear such complaint, and may adjourn the hearing thereof from day to day.

Filing complaint held to be consent to continue to furnish product or service.

The filing of a complaint by a public utility, as herein provided, shall be taken and held to be the consent of such public utility to continue to furnish its product or service, and devote its property engaged therein to such public use during the term so fixed by ordinance or by the provisions of this act. Parties thereto shall be entitled to be heard, represented by counsel, and to have process to force the attendance of witnesses.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That said original section 614-44 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

117 G.

[Amended Senate Bill No. 156.]

## AN ACT

To enact supplementary sections 6310-1 and 6310-2, to amend sections 12614 and 12614-1 of the General Code, and to repeal section 12614-2 of the General Code, relating to the regulation of lights and spot lights on motor vehicles.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That supplementary sections 6310-1 and 6310-2 of the General Code be enacted and sections 12614 and 12614-1 of the General Code be amended to read as follows:

Sec. 6310-1. Every motor vehicle, except a commercial vehicle as hereinafter provided, or a motor cycle, driven upon the public highways of the state, during the period from one-half hour after sun set to one-half hour before sun rise, and whenever fog renders it impossible to see at least two hundred feet ahead of such motor vehicle, shall display, when running, at least two lighted lamps on the forward part of such vehicle, one on each side and approximately of equal candle power; and every motor cycle so operated shall display at least one light on the forward part thereof, which light or lights shall in clear weather be visible at least two hundred feet in the direction which such motor vehicle is proceeding. Every motor vehicle so operated shall display a red light from behind, and a white light shall be so arranged as to illuminate each and every part of the distinctive number borne upon a rear number plate.

Lights on motor vehicles required.

The headlights required on any commercial motor vehicle of two tons carrying capacity or over, which is so governed, mechanically constructed or controlled that it cannot exceed a speed of fifteen miles per hour, shall be visible at least two hundred feet in the direction in which said vehicle is proceeding; such light shall be sufficient to reveal any person, vehicle or substantial object on the road straight ahead for a distance of not less than one hundred feet, and shall comply in all other respects with the requirements of this section.

Lights on commercial motor vehicles.

No headlights shall be used on any motor vehicle upon the highways except after the installation of a device to prevent glare, which device has been certified and approved by the state highway commissioner, in accordance with the provisions of section 6310-2 of the General Code, which device shall be applied and adjusted in accordance with the requirements of a certificate of approval to be issued by said state highway commissioner. No such certificate of approval of any device shall be issued by said state highway commissioner unless such device, by actual test, conducted under his direction, complies with the following requirements for lights:

Device to prevent glare required.

Whenever there is not sufficient light within the limits of the traveled portion of the highway to make all vehicles, persons, or substantial objects clearly visible within a dis-

Roadway lighted for two hundred feet.

tance of at least two hundred feet, the forward lights which a motor vehicle, except commercial vehicles, as hereinafter provided, is required to display, shall, when the motor vehicle is in motion, throw sufficient light ahead to show any person, vehicle, or substantial object upon the roadway straight ahead of the motor vehicle for a distance of at least two hundred feet.

Rays of light must not be more than  $3\frac{1}{2}$  feet above the ground.

Any light thrown directly ahead or sideways shall be so arranged that no dazzling rays or beams of reflected light from it or from any reflector shall at any time be more than three and one-half feet above the ground on a level road a distance of seventy-five feet ahead of such vehicle, and such light shall be sufficient to enable the operator of the motor vehicle to see any person, vehicle, or substantial object upon the roadway or at the side of the road within ten feet of each side of the motor vehicle.

Power of lights.

No lamp or light prescribed in this section shall be more than thirty-two candle power.

Regulation as to spot light.

No spot light shall be used when another approaching vehicle is in sight, except when projecting its rays directly on the ground at a distance not exceeding fifty feet in front of the vehicles using such spot light to the right of the center of the highway.

Approval of devices by highway commissioner; tests; certificate.

Sec. 6310-2. The state highway commissioner may, after proper laboratory tests, approve certain devices for controlling the front lights on motor vehicles so that they shall comply with the provisions of this act, upon the payment of such fee as he may deem necessary to cover the actual cost of such tests, not to exceed the sum of fifty dollars, and may issue a certificate to the applicant securing the device, certifying that such tests have been made and that the device, when properly applied, complies with the requirements of this act.

Brakes and signal device.

Sec. 12614. Whoever operates or drives a motor vehicle upon the public roads and highways without providing it with sufficient brakes to control it at all times and a suitable and adequate bell or other device for signalling shall be fined not more than twenty-five dollars.

Penalty for violations of law.

Sec. 12614-1. Any person violating the provisions of sections 6310-1 or 6310-2 of the General Code, upon conviction thereof, shall be fined not more than twenty-five dollars for the first offense, and not less than fifty dollars nor more than one hundred dollars for the second offense.

Repeals.

SECTION 2. That original sections 12614 and 12614-1 and section 12614-2 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

[Amended Senate Bill No. 155.]

## AN ACT

To supplement section 3812 by the addition of supplementary section 3812-4 of the General Code, providing for the lighting of any street, alley, dock, wharf, pier, public road or place, or parts thereof, and the levying and collecting of special assessments to pay the cost and expense thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3812 of the General Code be supplemented by adding supplementary section 3812-4 of the General Code, to read as follows:

Sec. 3812-4. The council of a city upon the recommendation of the director of public service, or the council of a village, may provide for lighting any street, alley, dock, wharf, pier, public road or place, or parts thereof, and levying and collecting special assessments therefor, by any one of the methods mentioned in section 3812, General Code of Ohio. For the purpose of carrying out the provisions of this supplementary section one resolution, ordinance or contract may be made to include one or more streets, alleys, docks, wharves, public roads or places, or parts thereof, and the proceedings by council providing for such lighting and levying and collecting special assessments therefor shall be the same as provided in this chapter for proceedings by council for the improvement of streets, except that notices of the passage of the resolution declaring the necessity for such lighting shall be given to the owners of the lots and lands to be assessed for the payment of the cost and expense of such lighting by publishing such a resolution once a week for two consecutive weeks in two newspapers of opposite politics published and of general circulation within the corporation, and no other or further notice shall be required; provided, however, that in municipal corporations in which no two newspapers of opposite politics are printed, as defined in section 6255 of the General Code, notice of the passage of such resolution shall be given to the owners of the lots and lands to be assessed for the payment of the cost and expense of such lighting by publishing such notice in either of the following manners to be determined by council, viz.: by posting copies thereof in not less than five (5) of the most public places in the municipality, to be determined by council, for a period of not less than fifteen (15) days prior to the taking effect thereof, or by publication thereof in any newspaper printed in Ohio and of general circulation in such municipality; provided further that in all municipal corporations which have adopted a charter the notice

Lighting street, alley, dock, pier, road; special assessment for.

Resolution; notice.

to the property owners may be published in accordance with the provisions of such charter.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

119 G.

[Amended Senate Bill No. 163.]

## AN ACT

To amend section 3410-3 of the General Code, relative to levying a sufficient tax to create a sinking fund for redemption of bonds at maturity irrespective of limitations, such provision to apply in any case where such bonds have been authorized by vote of the electors as herein provided.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3410-3 of the General Code be amended to read as follows:

Result certified to township clerk; record; bond issue; tax levy.

Sec. 3410-3. The election officers shall forthwith certify the result of such election to the clerk of the township or townships and the township trustees shall make a record of such result. If a majority of the votes cast on such question be in favor of the issuance of bonds for such purpose, the township trustees shall thereupon issue the bonds of the township in the amount specified in the petition filed as authorized in section one of this act. Such bonds shall be of the denomination and shall run for such period or periods of time as the trustees shall determine. They shall be executed as are other bonds of the township and shall express on their face the purpose for which they are issued, shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, and shall be sold for not less than par and accrued interest. Said bonds shall be offered and sold in the manner provided in sections 1465-58, 2294, and 2295 of the General Code. The township trustees shall, prior to the time such bonds are issued, provide for levying and collecting annually by taxation an amount sufficient to pay the interest thereon and to create a sinking fund for their redemption at maturity, and shall levy annually a sufficient tax for such purpose, irrespective of any limitations, and this provision shall apply in any case where such bonds have been authorized by vote of the electors as provided in this act.



The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That original section 3410-3 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

120 G.

[Senate Bill No. 219.]

### AN ACT

To supplement section 12680 of the General Code by the enactment of section 12680-1 to require dealers in cigarettes and tobacco to display the law regulating the sale thereof to minors.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12680 of the General Code be supplemented by the enactment of supplemental section 12680-1 to read as follows:

Sec. 12680-1. Whoever, being engaged in the business of trafficking in cigarettes, cigarette wrappers or a substitute for either, or cigars or tobacco, fails to post and keep constantly displayed in a conspicuous place in the building where such business is carried on, a copy of section 12965 of the General Code, regulating the sale of tobacco and cigarettes to minors, shall be fined not less than fifty dollars nor more than one hundred dollars, and for each subsequent offense shall be fined not less than one hundred dollars nor more than two hundred dollars. Copies of such law shall be obtained from the county auditor.

Copy of law regulating sale must be posted in conspicuous place: penalty.

The secretary of state shall distribute copies of the above mentioned section of the General Code to the county auditors of the various counties, who, in turn, shall distribute the same to any dealer in cigarettes or tobacco in the county who has made application therefor.

Distribution of copies of law.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

121 G.

[House Bill No. 360.]

## AN ACT

To amend sections 6452, 6468, 6496, 6497 and 6520 of the General Code, relative to the improvement of county and inter-county ditches and declaring an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 6452, 6468, 6496, 6497 and 6520 of the General Code be amended to read as follows:

Assessment of  
cost and ex-  
pense when pe-  
tition granted.

Sec. 6452. If the board of county commissioners, or the court, finds that an improvement by ditch or drain or other means is necessary and that it will be conducive to the public health, convenience or welfare, it shall grant the petition therefor, either for the line set forth in the petition, or upon one which in their judgment is most feasible to accomplish the object of the petition, and in such case all the cost and expense connected with their proceedings, as well as the cost and expense of construction of the improvement, shall be assessed upon the property affected beneficially by such improvement, including any highways or other public grounds, according to the benefits derived therefrom and in proportion to such benefits. And as a part of such cost and expenses, to be so assessed, there shall be included such portion of the expense of enlarging any waterway through a public highway, or constructing, altering or reconstructing any bridge over such waterway, as may be determined by the county commissioners, or the court, and such portion of such expense shall be paid by the county from its bridge fund.

When and how  
assessments  
shall be paid.

Sec. 6468. At the time of granting the petition for any improvement under this chapter, the commissioners, or the court, shall determine how long a period of time, in semi-annual installments, as taxes are paid, shall be given to owners of lands benefited to pay the assessments that may be made for such improvement; whether bonds shall be issued and sold in anticipation of the levy and collection of such assessments, or not, and if bonds are to be issued, the rate of interest they shall bear. But if the estimated cost of the improvement, as reported by the county engineer, does not exceed one thousand dollars, not more than two years' time, in four semi-annual installments, shall be given; and no bonds in such case shall be issued or sold unless the county has no funds available in its general ditch improvement fund from which payment in anticipation of collection of assessments can be made. Nor shall more than five years' time, in ten semi-annual installments, be given in any case for any assessments, for benefits for any improvement under this chapter.

If bonds be not issued, but the improvement be paid for from the general ditch improvement fund, there shall be included in any installment when paid, interest on all unpaid installments at the rate of five per cent per annum,

payable semi-annually. And when bonds are issued and sold, interest at the same rate as is borne by such bonds, shall in like manner be included in the assessment for their redemption, and paid semi-annually with the current installment of assessment.

Sec. 6496. The board of county commissioners is empowered and authorized to issue the bonds of the county in anticipation of the levy and collection of assessments under this chapter. In any case where the county commissioners have determined to issue and sell bonds in anticipation of the levy and collection of assessments for benefits or any portion thereof, they shall so declare by resolution and fix the rate of interest such bonds shall bear, dates of maturity, and denomination and number of bonds. Such bonds shall express upon their face the purpose for which they are issued, with the date of the resolution authorizing the issue, the rate of interest, which shall not exceed six per cent per annum payable semi-annually, the date of maturity, the name and number of the improvement for which they are issued, and any other proper descriptive matter. They may be made subject to registration and have proper interest coupons attached thereto.

Resolution to  
sell bonds in  
anticipation of  
assessments.

The bonds upon issue shall be signed by the chairman of the board of county commissioners and countersigned by the auditor; interest coupons if attached thereto shall be authenticated by the signature of the county auditor, written or lithographed thereon.

How bonds  
signed.

Said bonds may, at the option of the board of county commissioners, be sold upon popular subscription for par and accrued interest in any quantities without advertising, or may at such value be paid to any contractor upon accepted work and material or may be sold as provided by sections 2294 and 2295 of the General Code.

Sale of bonds.

Sec. 6497. Bonds issued by boards of county commissioners under authority of this chapter in anticipation of the levy and collection of special assessments against the property to be benefited by the improvement, shall be full, general obligations of the county issuing such bonds, for the payment of the principal and interest of which, when due, the full faith, credit and revenues of such county shall be pledged. The county commissioners shall, prior to the issuance of such bonds, provide for the levying of a tax upon all the taxable property of the county to cover any deficiency in the levy, payment or collection of such special assessments, or of interest thereon.

Tax levy to  
cover any  
deficiency.

Sec. 6520. If the joint board of county commissioners finds that an improvement by ditch or drain or other means is necessary and that it will be conducive to the public health, convenience or welfare, it shall grant the petition therefor, either for the line set forth in the petition, or upon one which in its judgment is more feasible to accomplish the object of the petition. If a petition is granted by a joint board of county commissioners, such

Proceedings  
when petition  
granted.

board shall proceed under the provisions of this act for single boards of county commissioners to complete necessary surveys, schedules and records, make award of damages to property or compensation for property taken, and ascertain the entire cost of the joint county improvement.

SECTION 2. That original sections 6452, 6468, 6496, 6497 and 6520 of the General Code be, and the same are hereby repealed.

Law applies to  
pending pro-  
ceedings.

SECTION 3. This act shall apply to proceedings now pending under "An act to codify, consolidate and clarify the ditch laws of the state" appearing in 108 Ohio Laws, Part I, at pages 926 and following. Boards of county commissioners and courts before whom such proceedings are pending are authorized to correct such proceedings to conform to this act, and when such proceedings are so corrected they shall be held and deemed to be valid in all respects, and any assessments made thereunder shall be valid, and any bonds issued thereunder shall be full and valid obligations of the county.

Emergency law.

SECTION 4. This act is hereby declared to be an emergency law necessary for the immediate preservation of the public health and safety, for the reason that an opinion of the attorney general that the ditch code enacted in 1919 was unconstitutional has had the effect of holding up all pending and prospective ditch improvements, in many cases assessments have been made, bonds have been issued which cannot be sold and counties are suffering great financial loss, and such condition must be remedied at the earliest possible moment. Therefore, this act shall go into immediate effect.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

122 G.

[House Bill No. 227.]

## AN ACT

To amend section 3298-24 of the General Code, relating to the sale of stone, crushed stone, stone screenings, dirt, gravel, sand, or other similar material by certain boards or joint boards of township trustees.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3298-24 of the General Code be amended to read as follows:

Sec. 3298-24. From any real estate purchased and controlled, under and by virtue of section 3298-20 to 3298-23, inclusive, of the General Code, stone, crushed stone, stone screenings, dirt, gravel, sand or other similar material may be sold by the township trustees in control thereof to residents of the county or counties in which is situated the township or townships owning such real estate. Any of such materials needed in the construction, reconstruction, improvement, maintenance or repair of a public school house, public road or any other public improvement, located in the county or counties in which is situated the township or townships owning such real estate, may be sold for use in such construction, reconstruction, improvement, maintenance or repair by the board or joint board of township trustees. Such materials shall be sold at prices fixed by the board or joint board of township trustees in control thereof, which prices shall not be less than the full cost of producing such materials. The moneys arising from such sales in excess of the actual cost of production shall be placed in the pike repair fund of the township or townships.

Sale of crushed stone, gravel, sand, etc.; application of money.

SECTION 2. That said original section 3298-24 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

123 G.

]House Bill No. 310.[

## AN ACT

To amend section 13163 of the General Code, relative to the unlawful use of the badges or buttons of certain orders, societies and organizations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 13163 of the General Code be amended to read as follows

Wearing badge  
or button of  
certain orders,  
societies or or-  
ganizations,  
unlawful;  
penalty.

Sec. 13163. Whoever, not being entitled so to do under the rules and regulations thereof, wilfully wears the badge or button of the grand army of the republic, union veterans union, sons of veterans, union veterans' legion, military order of the loyal legion, women's relief corps, ladies' circle of the grand army of the republic, the benevolent and protective order of elks of the United States of America, a labor organization, The American Legion, Women's Auxiliary of The American Legion, or an order, society or organization of ten years' standing in this state, or uses or wears it to obtain aid or assistance thereby, shall be fined not more than twenty dollars or imprisoned not more than thirty days, or both.

SECTION 2. That original section 13163 of the General Code be, and the same is hereby repealed.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

124G.

[House Bill No. 405.]

## AN ACT

To amend section 4228 of the General Code, relative to the publication of ordinances, resolutions and other matters of municipalities.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 4228 of the General Code be amended to read as follows:

Sec. 4228. Unless otherwise specifically directed by statute, all municipal ordinances, resolutions, statements, orders, proclamations, notices and reports, required by law or ordinance to be published, shall be published as follows: In two English newspapers of opposite politics printed and of general circulation in such municipality, if there be such newspapers; if two English newspapers of opposite politics are not printed and of general circulation in such municipality, then in one such political newspaper and one other English newspaper printed and of general circulation therein; if no English newspaper is printed and of general circulation in such municipality, then in any English newspaper of general circulation therein or by posting as provided in section forty-two hundred thirty-two of the General Code; at the option of council. Proof of the place of printing and required circulation of any newspaper used as a medium of publication hereunder shall be made by affidavit of the proprietor of either of such newspapers, and shall be filed with the clerk of council.

Publication of ordinances, resolutions, etc., in municipalities; proof of publication.

SECTION 2. That original section 4228 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

125 G.

[House Bill No. 393.]

## AN ACT

To amend section 1558 of the General Code relative to the powers of the judges of the common pleas court.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1558 of the General Code be amended to read as follows:

Classification and arrangement of business in counties having twelve or more judges.

Sec. 1558. The judges of the common pleas court in any county having twelve or more such judges may classify and arrange the business therein, and assign to each of the judges such portion of the business as may be thought proper, and such business may be disposed of by all or any number of the judges sitting together, or each sitting separately. Such judges may make rules and regulations for the government of the officers of the court as they deem proper for the efficient transaction of business. To expedite the business of the court and to promote the ends of justice, such judges may also from time to time adopt, publish and revise rules relating to matters of practice and procedure, and may classify the causes of action in the court.

SECTION 2. That original section 1558 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

126 G.

[House Bill No. 385.]

## AN ACT

To amend section 1693 of the General Code, relating to the compensation of court constables.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1693 of the General Code be amended to read as follows:

Compensation of court constables.

Sec. 1693. Each constable shall receive the compensation fixed by the judge or judges of the court making the appointment. In counties where four or more judges regularly hold court, said compensation shall not exceed two thousand two hundred and fifty dollars each year, in



counties where two judges and not more than three judges hold court at the same time, not to exceed fifteen hundred dollars each year, and in counties where only one judge holds court, such amount, not to exceed thirteen hundred dollars each year, as may be fixed by the court, and shall be paid monthly from the county treasury on the order of the court. Such court constable or constables when placed by the court in charge of the assignment of cases, may be allowed further compensation not to exceed one thousand five hundred dollars per year, as the court by its order entered on the journal determines. In counties where only one judge holds court the constable provided for herein, when not attending the common pleas court, shall upon the order of the judge of such common pleas court, and without additional compensation, attend the probate court and the court of appeals of said county.

Additional compensation.

SECTION 2. That original section 1693 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

127 G.

[Re-Amended Senate Bill No. 232.]

## AN ACT

To amend section 8705 of the General Code, relative to regulating the borrowing of money by corporations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 8705 of the General Code be amended to read as follows:

Sec. 8705. A corporation may borrow money in any sum not exceeding the amount of its capital stock, issue its notes or coupon or registered bonds therefor, at such rate of interest as may be provided in such issue, and secure their payment by a mortgage of its property, real or personal, or both; provided, however, that a corporation formed to buy and sell real estate may borrow money, issue its notes or bonds secured by mortgage of its real estate in an amount not to exceed sixty-five per cent of the market value thereof without regard to the amount of its capital stock.

Power to borrow money upon mortgage; real estate companies.

Certain limitations not applicable.

The limitations of section 8303 of the General Code shall not apply to any such borrowing maturing and payable one year or more after the date thereof, and no corporation, wherever organized, nor anyone in its behalf, shall interpose the defense or make the claim of usury in any suit or proceeding upon or with reference to any such corporate borrowing.

SECTION 2. That said original section 8705 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.

RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

128 G.

[Amended Senate Bill No. 74.]

## AN ACT

To amend section 13194 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 13194 of the General Code be amended to read as follows:

Being found intoxicated; penalty.

Sec. 13194. Whoever is found in a state of intoxication or whoever, being intoxicated, shall disturb the peace and good order, or shall conduct himself in a disorderly manner, shall be fined not less than five dollars nor more than one hundred dollars. A justice of the peace shall have final jurisdiction to hear and determine any prosecution arising under this section.

SECTION 2. That original section 13194 of the General Code is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.

RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

129 G.

[Amended Senate Bill No. 71.]

## AN ACT

To amend section 2312 of the General Code, relative to compensation of chairmen of the Senate and House finance committees when attending meetings of the emergency or controlling board.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2312 of the General Code be amended to read as follows:

Sec. 2312. There shall be an emergency board to consist of the governor, or a designated officer or employee, auditor of state, attorney general, chairman of the senate finance committee, and chairman of the house finance committee. The governor, or a designated officer or employee, shall be president and the director of finance shall be the secretary of the board. The secretary shall keep a complete record of all its proceedings. The approval of four members of the board evidenced by their signatures shall be necessary in all cases in which the board is authorized to act. The chairman of the senate and house finance committee, when acting as members of the emergency board or as members of the controlling board under authority of any appropriation act, shall be paid ten dollars per day each and their necessary traveling expenses upon presentation to the auditor of state of an itemized account of the same, while engaged in their duties as such members, which shall be paid from the funds appropriated for the payment of expenses of legislative committees, upon vouchers approved by the auditor of state, and the auditor of state is hereby authorized to draw his warrants upon the treasurer of the state therefor.

Emergency board, how composed; organization; expenses.

SECTION 2. That original section 2312 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

Passed April 27, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

130 G.

[Amended Senate Bill No. 115.]

## AN ACT

To amend section 3008 of the General Code, relating to the pay of grand and petit jurors.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3008 of the General Code be amended to read as follows:

Compensation  
of grand and  
petit jurors.

Sec. 3008. Each grand or petit juror drawn from the jury box pursuant to law, each juror selected by the court as talesman, shall receive three dollars for each day of service; such juror shall be allowed three cents a mile for each mile traveled by such juror by the nearest route from said juror's place of residence to the county seat and return to home once a week. Such compensation shall be certified by the clerk of the court and paid by the county treasurer on the warrant of the county auditor.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That said original section 3008 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

131 G.

[Senate Bill No. 234.]

## AN ACT

To amend section 12788-1, of the General Code, relating to the operation of interurban cars.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12788-1 of the General Code be amended to read as follows:

Operation of  
cars without  
closet and  
drinking water  
unlawful;  
penalty.

Sec. 12788-1. Whoever engages in the operating of interurban car or cars, for a greater distance than ten miles between the corporate limits of municipalities, shall be required to place and maintain within such car or cars, so run or operated, a water closet or dry hopper closet, properly and sanitarily constructed, and suitable drinking water for the use of the passengers of such car or cars. It shall be the duty of the public utilities commission of Ohio to enforce this act.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

SECTION 2. That said original section 12788-1 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921. 132 G.

[Senate Bill No. 166.]

### AN ACT

To supplement section 3004 of the General Code, providing county prosecutors with additional funds for investigating and prosecuting crimes, and to be known as section 3004-1.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3004 of the General Code be supplemented by an additional section to read as follows:

Sec. 3004-1. When in the opinion of the prosecuting attorney an emergency exists by reason of the unusual prevalence of crime or when it appears to be probable that criminal efforts are being made to obstruct the due administration of justice, if the funds available to him under the provisions of section 3004 of the General Code are insufficient for the purposes of the necessary investigation and prosecution of such activities and offenses, he may make application to the judge or judges of the Court of Common Pleas of the county for additional funds. The judge or judges, if satisfied that the expenditure of additional funds will be for the public benefit and will promote the administration of justice, may by order entered in the journal of the court allow to him additional funds not in excess of ten thousand dollars (\$10,000.00) in any one year. This fund shall be expended upon the order of the prosecuting attorney in the manner prescribed by section 3004 of the General Code.

Additional funds  
for investigating  
and prosecuting  
crimes; how  
obtained; how  
expended.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921. 133 G.

[House Bill No. 352.]

## AN ACT

To amend section 8757 of the General Code, relating to the construction of branch railroads.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 8757 of the General Code be amended to read as follows:

Construction of  
branch road;  
certificate under  
oath filed with  
Secretary of  
State.

Sec. 8757. A company may construct branches from the main line to towns or places within the limits of a county through or into which its road passes, or to a connection with any railroad within this state, or to any coal or other mine, stone-quarry, plastic-clay, pottery-clay and fire clay pits or banks, marl beds, sand or gravel pits or banks, asphalt deposits, slag banks, ore or shale banks, if, at a meeting of the stockholders called for that purpose, the holders of a majority of the capital stock of the company, by a vote, in person or by proxy, so determine. Upon such determination, the president and directors shall make and acknowledge a certificate setting forth the facts, and file it with the secretary of state.

SECTION 2. That said original section 8757 of the General Code be and the same is hereby repealed.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUFERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

[Amended Substitute Senate Bill No. 101.]

## AN ACT

To amend section 7639 of the General Code, providing for the levying of taxes for library purposes.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. Section 7639 of the General Code is hereby amended to read as follows:

Sec. 7639. Such board of library trustees annually, during the month of May, shall certify to the board of education the amount of money needed for increasing, maintaining and operating the library during the ensuing year in addition to the funds available therefor from other sources. The board of education annually shall levy a tax of not to exceed one and one-half mills for such library purposes, which tax shall be in addition to all other levies authorized by law, and subject to no limitation on tax rates except as herein provided.

Tax levy for library purposes.

SECTION 2. That said original section 7639 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

Passed April 27, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 16th day of May, A. D. 1921.

135 G.

[Amended Senate Bill No. 126.]

## AN ACT

To amend section 7896-34 of the General Code and to add section 7896-22a to the General Code, relating to the inclusion of educational employees in the teachers' retirement law and to compulsory retirement under that law.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 7896-34 of the General Code be amended and that section 7896-22a be added to the General Code to read as follows:

Sec. 7896-22a. In addition to the membership of the retirement system as prescribed in section 7896-22, General Code, there shall be included therein the educational employees of the state department of public instruction.

Employees in department of public instruction included.

The contributions ordinarily made by boards of education shall be made in the cases of employees of the department of public instruction by state appropriation and in the cases of such other employees as may be included, from the funds of the respective boards or organizations.

Persons so included shall be included in the definition of "teacher" as used in sections 7896-1 to 7896-63, General Code; the service of all persons in such capacities shall be included as prior service provided such persons are present teachers as defined in section 7896-1, General Code, or are in the service described in the first sentence of this section at the time this section goes into effect, and in the latter case service for the present school year shall be included in the prior service of such persons.

When payments  
begin.

Payments by and for persons included in the retirement system by virtue of this section shall begin September 1, 1921.

Who may retire.

Sec. 7896-34. Any teacher, except a new entrant with less than five years of service, who has attained sixty years of age may retire, if a member, by filing with the retirement board an application for retirement. The filing of such application shall retire such member as of the end of the school year then current. At the end of the school year in which they become members the retirement board shall retire all teachers who were over seventy years of age at the time they became members and shall retire all other members at the end of the school year in which the age of seventy is attained, provided in each case the consent of the employer is secured.

Board may  
retire, whom.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

SECTION 2. That original section 7896-34 of the General Code be and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 16th day of May, A. D. 1921.

136 G.



[Senate Bill No. 87.]

## AN ACT

To amend section 6294 of the General Code, relative to the operation of motor vehicles upon public roads and highways of this state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 6294 of the General Code be amended to read as follows:

Sec. 6294. Every owner of a motor vehicle which shall be operated or driven upon the public roads or highways of this state shall before the first day of January of each year, except as herein otherwise expressly provided, cause to be filed, by mail or otherwise, in the office of the secretary of state a written application in duplicate for registration for the following year, beginning the first day of January of such year on blanks to be furnished by the secretary of state for that purpose containing the following information:

Application for  
registration.

Blank forms  
furnished;  
information re-  
quired.

(1) A brief description of the motor vehicle to be registered, including the name of the manufacturer, the factory number of such vehicle, the year's model, the amount of motive power, if any, in figures of horse power, according to the formula prescribed in this chapter, and in case of commercial cars, the gross weight of vehicle and load, computed according to the formula prescribed in this chapter.

(2) The name and address of the owner, and township, city, or village in which such owner resides.

(3) The district of registration which shall be determined as follows:

(a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration shall be the municipal corporation in which such place is located; and if not located in any municipal corporation, the county in which such place is located.

(b) In case such vehicle is not so used, the district of registration shall be the municipal corporation or county in which the owner resides at the time of making application.

The duplicate copy of the application for registration above mentioned shall immediately be mailed to the county auditor of the county in which the district of registration named in the application is located.

Duplicate  
mailed to  
county auditor.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

SECTION 2. That said original section 6294 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921.

137 G.

[House Bill No. 167.]

## AN ACT

To amend sections 9880 and 9880-1 of the General Code, relative to per capita tax for agricultural societies.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 9880 and 9880-1 of the General Code be amended to read as follows:

Organization of  
societies.

Sec. 9880. When thirty or more persons, residents of a county organize themselves into a county agricultural society, which adopts a constitution and by-laws, selects the usual and proper officers, and otherwise conducts its affairs in conformity to law, and the rules of the state board of agriculture, and when such society has held an annual exhibition in accordance with sections 9881, 9882 and 9884 of the General Code, and made proper report to the state board, then upon presentation to the county auditor, of a certificate from the president of the state board attested by the secretary thereof, that the laws of the state and the rules of the board have been complied with, the county auditor of each county wherein such agricultural societies are organized, annually shall draw an order on the treasurer of the county in favor of the president of the county agricultural society for the sum of eight hundred dollars, and the treasurer of the county shall pay it. The total amount of such order shall not exceed one hundred per cent (100%) of the amount paid in regular class premiums.

Independent  
societies, organ-  
ization of.

Sec. 9880-1. When thirty or more persons of a county or of contiguous counties; not to exceed three shall have been organized into an independent agricultural society and has held an annual exhibit for three years previous to January 1, 1919, in a county wherein is located a county

agricultural society, and when such independent society has held an annual exhibition, in accordance with the three following sections and made proper report to the state board, then, upon the presentation to the county auditor of a certificate from the president of the state board attested by the secretary thereof, that the laws of Ohio and the rules of the board have been complied with, the county auditor of the county, if the fair board be residents of one county, shall draw an order on the treasurer of the county in favor of the president of the independent association for a sum equal to one hundred per cent of the amount paid in regular class premiums, as calculated in section 9880 herein, but which shall not exceed the sum of eight hundred dollars, and the treasurer shall pay said order.

What sum may  
be drawn from  
the county.

If the fair board be residents of more than one county the auditor of such counties shall draw orders on their respective treasurers for the proportionate share of the sum of eight hundred dollars to be divided according to population of the counties according to the last federal census, but shall not exceed more than one hundred per cent of the amount paid in regular class premiums, and the treasurer or treasurers shall pay such order or orders from the county funds.

When board are  
residents of  
more than one  
county.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICH,  
Attorney  
General.

SECTION 2. That original sections 9880 and 9880-1 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 26, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921.

138 G.

[Amended Substitute Senate Bill No. 200.]

## AN ACT

To amend sections 4728, 4728-1, 4729, 4739, 4740, 4743, 4744-2, 4744-3, 7655-7, 7705, 7706, 7706-1, 7706-2, 7706-3, 7706-4, 7747 and 7811 and to repeal sections 4730, 4738, 4738-1, 4741, 4742 and 4744-5 of the General Code relating to the supervision of village, rural and county school districts.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 4728, 4728-1, 4729, 4739, 4740, 4743, 4744-2, 4744-3, 7655-7, 7705, 7706, 7706-1, 7706-2, 7706-3, 7706-4, 7747 and 7811 of the General Code be amended to read as follows:

County board of education; supervision of county districts by.

Sec. 4728. Each county school district shall be under the supervision and control of a county board of education composed of five members, who shall be electors residing in the territory composing the county school district and who may or may not be members of local boards of education. The members of such county board in office when this act goes into effect shall continue in office until their successors are elected and qualified.

Nomination of candidates by petition: number of signers required; election; certificates.

Sec. 4728-1. Candidates for members of the county board of education shall be nominated by petition. Such nomination papers shall be signed by petitioners, who shall be qualified electors residing in the county school district, not less in number than one per cent of the electors voting at the last preceding election for members of local boards of education in the districts within the county school district; provided, however, that in no case shall the number of petitioners be fewer than twenty-five. The election for members of the county board of education shall be conducted in the same manner as are elections for other boards of education except as herein otherwise provided, and the returns thereof made to the board of deputy state supervisors of elections of the county, who shall canvass the same and issue a certificate of election to each member so elected.

When and how members of county board elected; term of office.

Sec. 4729. At the regular election of township and municipal officers in 1921 the qualified electors of each county school district in the state shall elect three members of the county board of education to succeed the three members having the shortest time to serve when this act goes into effect and to serve for four years from the third Saturday of January, 1922, and every four years thereafter their successors shall be elected in like manner for a term of four years. At the regular election of township and municipal officers in 1923 the qualified electors of each county school district shall elect two members of the county board of education to succeed the two remaining members of the board not chosen by popular vote and to serve for four years from the third Saturday of January, 1924, and every four years thereafter their successors shall be elected in like manner to serve for a term of four years.

Sec. 4730. One or more assistant county superintendents, as may be determined by the county board of education, may be elected for a term of not to exceed three years in each county school district by the county board of education on the nomination of the county superintendent. Provided, however, that no assistant county superintendent shall be elected in 1921 for a longer term than one year. A person other than the one nominated by the county superintendent may be elected by a majority vote of the county board of education.

Assistant county superintendents; election, term.

Sec. 4740. Any village or wholly centralized rural school district or union of school districts for high school purposes which maintains a first grade high school and which employs a superintendent upon the nomination of the county superintendent shall upon application to the county board of education before June first of any year be placed under the supervision of the county superintendent. Such superintendents shall be employed by the local boards of education upon the nomination of the county superintendent, but the local board of education, by a majority vote of its full membership, may employ a superintendent not so nominated. Such superintendent shall perform the duties prescribed by law for assistant county superintendents, but shall teach for such part of the day as the board of education of the district or districts may direct.

Village or centralized district for high school purposes may be placed under supervision of county superintendent, how.

Sec. 4743. The compensation of the assistant county superintendent shall be fixed at the same time that the appointment is made and by the same authority which appoints him, such compensation shall be paid out of the county board of education fund on vouchers signed by the president of the county board. The salary of any assistant county superintendent shall in no case be less than one thousand dollars per annum, half of which salary not to exceed seven hundred and fifty dollars shall be paid by the state and the remainder by the county school district. The part paid by the county school district shall be prorated among the village and rural school districts in such county school district in proportion to the number of teachers employed in each district.

Compensation of assistant county superintendent; how paid.

Sec. 4744-2. On or before the first day of August of each year the county board of education shall certify to the county auditor the number of teachers to be employed for the ensuing year in the various rural and village school districts within the county school district, and also the number of assistant county superintendents employed and their compensation and the compensation of the county superintendent for the time appointed; and such board of education shall also certify to the county auditor the amounts to be apportioned to each district for the payment of its share of the salaries of the county superintendent and assistant county superintendents and of the local expense of the normal school in each county, and the contingent expenses of the county board of education.

Number of teachers and assistant superintendents and compensation certified to county auditor; also apportionment to each district.

Amounts to pay portion of salaries retained at time of apportionment.

Sec. 4744-3. The county auditor when making his semi-annual apportionment of the school funds to the various village and rural school districts shall retain the amounts necessary to pay such portion of the salaries of the county and assistant county superintendents and for contingent expenses, as may be certified by the county board. Such amount shall be placed in a separate fund to be known as the "county board of education fund." The county board of education shall certify under oath to the state auditor the amount due from the state as its share of the salaries of the county and assistant county superintendents of such county school district for the next six months. Upon receipt by the state auditor of such certificate, he shall draw his warrant upon the state treasurer in favor of the county treasurer for the required amount, which shall be placed by the county auditor in the county board of education fund.

Amount due from state certified under oath by county board.

Who admitted to any high school without examination.

Sec. 7655-7. The holder of a certificate of graduation from any one-room rural school of the first grade or of any consolidated rural school which has been recognized shall be entitled to admission to any high school without examination. Graduates of any elementary school shall be admitted to any high school without examination on the certificate of the county superintendent or assistant county superintendent.

Employment of teachers.

Sec. 7705. The board of education of each village, and rural school district shall employ the teachers of the public schools of the district, for a term not longer than three school years, to begin within four months of the date of appointment. The local board shall employ no teacher for any school unless such teacher is nominated therefor by the county or assistant county superintendent except by a majority vote of its full membership. In all high schools and consolidated schools one of the teachers shall be designated by the board as principal and shall be the administrative head of such school.

Duties of county and assistant county superintendents.

Sec. 7706. The county superintendent and each assistant county superintendent shall visit the schools in the county school district, direct and assist teachers in the performance of their duties, and classify and control the promotion of pupils. The county superintendent shall spend not less than one-half of his working time, and the assistant county superintendents shall spend such portion of their time as the county superintendent may designate in actual class room supervision. Such time as is not spent in actual supervision shall be used for organization and administrative purposes, and in the instruction of teachers. At the request of the county board of education the county superintendent and the assistant county superintendents shall teach in teachers' training courses which may be organized in the county school district.

Conference of county superintendent, assistants and teachers.

Sec. 7706-1. The county superintendent shall, as often as advisable, assemble the teachers, assistant county superintendents and the superintendents provided for

under section 4740, of the county school district for the purpose of conference on the course of study, discipline, school management, and other school work and for the promotion of the general good of all the schools in the county school district.

Sec. 7706-2. It shall be the duty of the county superintendent and assistant county superintendents to recommend to the county board of education such text books and courses of study as are most suitable for adoption.

Text books and courses of study.

Sec. 7706-3. The county superintendent shall hold monthly meetings with the assistant county superintendents and the superintendents provided for under section 4740 and advise with them on matters of school efficiency. He shall visit and inspect the schools under his supervision as often as possible and with the advice of the assistant county superintendent shall outline a schedule of school visitation for the teachers of the county school district.

Monthly meetings of county and assistant superintendents.

Sec. 7706-4. The county superintendent shall have direct supervision over the training of teachers in any training courses which may be given in any county school district and shall personally teach not more than one hundred periods. It shall be his duty to see that all reports required by law are made out and sent to the county auditor and superintendent of public instruction and make such other reports as the superintendent of public instruction may require. Any county superintendent or assistant county superintendent who becomes connected with or becomes an agent of or financially interested in any book publishing or book selling company or educational journal or magazine, shall become ineligible to hold such office and shall be forthwith removed by the board having control over such county superintendent or assistant county superintendent.

Supervision of teachers in training courses.

Teacher, etc., shall not be agent for or interested in educational journal, magazine, book, etc.

Sec. 7747. The tuition of pupils who are eligible for admission to high school and who reside in rural districts, in which no high school is maintained, shall be paid by the board of education of the school district in which they have legal school residence, such tuition to be computed by the month. An attendance any part of the month shall create a liability for the entire month. No more shall be charged per capita than the amount ascertained by dividing the total expenses of conducting the high school of the district attended, exclusive of permanent improvements and repair, by the average monthly enrollment in the high school of the district.

When tuition paid by board of education.

In computing such total expenses of conducting such high school, the amount of the state common school fund and the proceeds of the state school levy retained in the county, apportioned to such district on account of teachers and other persons employed in such high school the amount of said common school fund apportioned thereto on account of transportation of high school pupils and the

How expense computed.

amount of such funds apportioned thereto on account of aggregate days of attendance of pupils shall be deducted from the gross expenses of conducting such schools. The superintendent or principal of each school shall certify to the county superintendent each year the names of all pupils in the schools under his charge who have completed the elementary school work, and are eligible for admission to high school. The county superintendent shall thereupon issue to each pupil so certified a certificate of promotion which shall entitle the holder to admission to any high school. Such certificates shall be furnished by the superintendent of public instruction.

County board;  
how composed.

Sec. 7811. There shall be a county board of school examiners for each county, consisting of the county superintendent, one superintendent, high school principal or assistant county superintendent and one other competent teacher, the latter two members to be appointed by the county board of education. The teacher so appointed must have at least two years' experience as teacher or superintendent, and be a teacher or supervisor in the public schools of the county school district or of any exempted village school district. Should he remove from the county during his term, his office thereby shall be vacated and his successor appointed.

Repeals

SECTION 2. That original sections 4728, 4728-1, 4729, 4739, 4740, 4743, 4744-2, 4744-3, 7655-7, 7705, 7706, 7706-1, 7706-2, 7706-3, 7706-4, 7747 and 7811 and sections 4730, 4738, 4738-1, 4741, 4742 and 4744-5 of the General Code be, and the same are hereby repealed.

Officers shall  
continue until  
expiration of  
terms.

SECTION 3, SCHEDULE. County superintendents of schools shall continue in office for the periods for which they have been elected but no election of a county superintendent which takes place after this act becomes effective and before the county board of education elected in November, 1921, takes office shall be valid beyond August 1, 1922.

County examiners shall continue in office until August 31, 1921; and for the period beyond that date for which they were appointed in case they are eligible to such office under this act.

District superintendents of schools now in office shall continue to hold office until August 1, 1921, and the entire compensation for the school year 1920-1921 shall be paid to those who serve until that date.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921. 139 G.



[House\*Bill No. 137.]

## AN ACT

To amend sections 5706 and 6251 of the General Code relating to legal advertising.

*Be it enacted by the General Assembly of the State of Ohio*

SECTION 1. That sections 5706 and 6251 of the General Code be amended to read as follows:

Sec. 5706. The publishers of newspapers, for advertising the delinquent and forfeited list of the several counties, and the notice of sale, shall be entitled to receive a sum not exceeding the following rates: For the notice of sale, ten dollars; for designating the several school districts, townships, villages and cities, and the several wards in a city, fifty cents each; and for each tract of land, city or town lot, or part of lot, contained in each of such lists, thirty cents. A greater sum than one-half of the taxes and penalties, due on any tract, lot or part of lot, shall not be allowed for advertising such tract, lot or part of lot. Such property shall not be published in a list as delinquent, if the taxes, assessments, and penalty thereon have been paid before the twentieth day of December. Providing, however, newspapers having a circulation of over twenty-five thousand shall charge and receive for such advertisements, notices and proclamations, rates charged by them on annual contracts for like amount of space to other advertisers in its general display advertising columns; and the publishers shall make and file with this bill before its payment, an affidavit that the newspaper had a bona fide circulation of more than twenty-five thousand at the time the advertisement, notice or proclamation was published, and that the price charged in the bill for same did not exceed the rates herein provided for such advertisement, notice or proclamation.

Fees for publication of delinquent and forfeited land lists.

Sec. 6251. Publishers of newspapers may charge and receive for the publication of advertisements, notices and proclamations required to be published by a public officer of the state, county, city, village, township, school, benevolent or other public institution, or by a trustee, assignee, executor or administrator, the following sums, except where the rate is otherwise fixed by law, to wit: For the first insertion, one dollar for each square, and for each additional insertion authorized by law or the person ordering the insertion, fifty cents for each square. Fractional squares shall be estimated at a like rate for space occupied. In advertisements containing tabular or rule work fifty per cent may be charged in addition to the foregoing rates. Providing, however, newspapers having a circulation of over twenty-five thousand shall charge and receive for such advertisements, notices and proclamations, rate charged on annual contracts by them for like amount of space to other advertisers who advertise in its

Rates for legal advertising.

general display advertising columns; and the publisher shall make and file with his bill before its payment, an affidavit, that the newspaper had a bona fide circulation of more than twenty-five thousand at the time the advertisement, notice or proclamation was published, and that the price charged in the bill for same did not exceed the rates herein provided for such advertisement, notice or proclamation.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

SECTION 2. That original sections 5706 and 6251 of the General Code be, and the same are hereby repealed.

C. C. CRABBE,  
*Speaker pro tem of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 27, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

140 G.

[House Bill No. 299.]

## AN ACT

To amend sections 6492, 6505, 6506, 6507, 6508 of the General Code to provide for the appointment of township ditch supervisors and relating to the cleaning out and keeping in repair of ditches, drains and water courses.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 6492, 6505, 6506, 6507 and 6508 of the General Code be amended to read as follows:

Tax levy by  
commissioners.

Sec. 6492. The county commissioners of each county in the state, if necessary, annually, at their March session, shall levy upon the grand duplicate of the county, a tax not to exceed five-tenths of one mill on the dollar, sufficient to pay the compensation of ditch supervisors and their assistants and for the location and construction of such portions of the respective improvements located by them, or by the commissioners of two or more counties, as may be apportioned to the county, or which under the provisions of this chapter they have determined to pay, which levy when collected shall be credited to the general ditch improvement fund.

Appointment of  
ditch super-  
visor; qualifi-  
cations; com-  
pensation;  
duties.

Sec. 6505. In any township in which a ditch or ditches or part thereof have been or may hereafter be established or laid out, the county commissioners shall for the purpose of keeping such ditches cleaned and in repair

appoint a ditch supervisor for any ditch or any township who shall serve for a term of one year or until his successor is appointed or qualified. No person shall be so appointed unless he be a resident and freeholder of the township for which he is appointed, and he may be removed by the county commissioners at any time for cause. Such supervisor shall receive such per diem compensation not to exceed three dollars per day for time actually employed on ditch work as the county commissioners may determine, to be paid by the county commissioners from the general ditch improvement fund, upon presentation of an itemized account verified upon oath by the ditch supervisor. When actually engaged in measuring a ditch or ditches the supervisor shall be allowed one assistant who shall receive such per diem compensation not to exceed two dollars fifty cents per day as the county commissioners may determine for the time actually employed, and shall be paid by the commissioners from the general ditch improvement fund, upon the certificate of the ditch supervisor. The ditch supervisor shall have supervision of all existing ditches or parts thereof in his township; he shall clean them out, keep them in repair as provided by law, and shall perform such other duties as are imposed upon him by law. The ditch supervisor shall annually report to the county commissioners his doings, including work done by him on ditches, moneys collected by him, and the condition of each ditch, the number of acres drained thereby, and the necessity for any other or further improvements thereon. Such report shall be made by the supervisor between the fifteenth and thirty-first days of December of each year. No part of the compensation of the supervisor or his assistant shall be assessed against lands or property, or constitute a charge against the owners of affected lands as such.

Sec. 6506. For the cleaning and keeping in repair of ditches, the ditch supervisor or supervisors for the township or townships through which such ditch runs, shall divide them into working sections and apportion such sections to the land owners, corporate roads, railroads, township, boards of education, municipalities and county according to the benefits received, and shall upon completion notify such owners in writing of the apportionment made to them respectively. Owners of land not contiguous to the ditch, but the water from whose lands is carried into it by means of tile or by passing over the lands of others, must assist in cleaning and keeping such ditch in repair, and all working sections allotted to each owner shall be on or as near as practicable to his premises. The county surveyor shall, if the ditch supervisor so requests, and if so ordered by the county commissioners, cooperate with the ditch supervisor in making the apportionment and constructing the work herein provided. When an established ditch or water course is located in two or more townships, the several supervisors for the townships

Division into sections for cleaning and keeping in repair: apportionment; notice.

in which such improvement is located shall jointly make the apportionment. When the apportionment is confirmed, the ditch supervisor within ten days thereafter shall notify in writing each of the lot and land owners, corporate roads, railroads, township, board of education, municipality and county to whom a portion is allotted of the portion assigned them respectively, and of the date for the completion of the cleaning out thereof. Each owner, corporate road, railroad, township, board of education, municipality and county so notified shall clean the portion or section of the ditch or water course as fixed by such apportionment, or if changed by the county commissioners, as fixed by them, to its full depth and capacity as originally constructed, and when necessary, reclean such portion without further notice. The parties to whom a section is allotted shall mark the terminus of their respective working sections by planting a substantial post or marker on which shall be cut or painted the number of the section. Any party to whom an apportionment is made, may within ten days after being notified of his apportionment by the ditch supervisor, file a protest against his apportionment with the board of county commissioners; and the board of county commissioners shall within ten days after the expiration of the ten day period fixed for the filing of protests, consider all protests and make any change in the apportionment which they deem just and proper. They shall confirm the apportionment as fixed by them, or if there be no protests, as made by the supervisor.

When work shall be let to lowest bidder; apportionment of cost.

Award of contract; cost a lien upon land.

Sec. 6507. If the parties to whom such sections are allotted neglect or refuse within the time set by the supervisor to clean or keep them in repair, the ditch supervisor shall sell the work of cleaning them to the lowest responsible bidder and take bond with surety to the approval of the supervisor for the faithful completion of the work. Payment to the contractor shall be made out of the general ditch improvement fund. If the whole or any part of the cost of said work is for part of a ditch apportioned to the county, then the county auditor shall present a bill for the same to the county commissioners, and they shall order the amount paid out of the general county fund. If the cost of cleaning and repair as estimated by the ditch supervisor exceeds the sum of two hundred dollars, then before awarding a contract, the ditch supervisor shall give notice of receiving bids by publication one time in one newspaper of general circulation in the county wherein the work, or part thereof, is to be done, such notice to be inserted at least one week before the time fixed for the receipt of bids. If the estimated cost is less than two hundred dollars, then the supervisor shall give notice of the letting of the contract by posting in three public places in the township or townships where the work, or part thereof, is to be done, such posting to be made at least one week before the date fixed for receipt of bids. If the

estimated cost is under one hundred dollars, then the ditch supervisor may at his option award a contract without advertisement or may proceed himself with the award of a contract by employing the necessary teams and labor and purchasing the necessary material for the completion of the work, paying the cost out of the general ditch improvement fund. Upon completion, whether by contract or otherwise, the supervisor shall certify the cost to the county auditor. Such cost shall be a lien upon the land to which apportionment was made, and upon certification by the supervisor shall be placed by the auditor upon the tax duplicate to be collected as other taxes, either in a lump sum or in two installments at the discretion of the county commissioners. In the event of proceeding by contract, the supervisor shall make separate contracts as to each working section. The supervisor is authorized to proceed under the provisions of this section and of section 6506 at any time he finds that cleaning out or repair is necessary as to any working section.

Sec. 6508. Any owner, corporate road, railroad, township, municipality or board of education may appeal to the court of common pleas from an order of the board of county commissioners fixing an apportionment for cleaning out and repair, and the provisions of sections 6474 to 6476 shall so far as applicable be followed in taking such appeal; provided that a township, municipality or board of education shall not be required to give bond in order to perfect such appeal. The common pleas court in hearing such appeal shall sit as a court of equity without the intervention of a jury, and the order made by the common pleas court upon such appeal shall be final.

SECTION 2. That original sections 6492, 6505, 6506, 6507 and 6508 of the General Code be and the same are hereby repealed.

Appeal to  
court of com-  
mon pleas;  
bond; hearing.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921.

141 G.

[Senate Bill No. 257.]

## AN ACT

To re-enact section 7629 of the General Code and to amend section 7630 of the General Code, relative to the issuing of bonds by boards of education, and declaring an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 7629 of the General Code be re-enacted and section 7630 be amended, to read as follows:

Issue of bonds  
by boards of  
education.

Sec. 7629. The board of education of any school district may issue bonds to obtain or improve public school property, and in anticipation of income from taxes, for such purposes, levied or to be levied, from time to time, as occasion requires, may issue and sell bonds, under the restrictions and bearing a rate of interest specified in sections seventy-six hundred and twenty-six and seventy-six hundred and twenty-seven. The board shall pay such bonds and the interest thereon when due, but provide that no greater amount of bonds be issued in any year than would equal the aggregate of a tax at the rate of two mills, for the year next preceding such issue. The order to issue bonds shall be made only at a regular meeting of the board and by a vote of two-thirds of its full membership, taken by yeas and nays and entered upon its journal.

Limitation of  
issue; tax levy.

Sec. 7630. In no case shall a board of education issue bonds under the provisions of the next preceding section in a greater amount than can be provided for and paid with the tax levy authorized by law and subject to limitations on the combined maximum rate for all taxes in force at the date of issue. The board shall provide, subject to said limitations, for the levy of a sufficient tax for interest and sinking fund or retirement purposes in the resolution authorizing the issue. The amount of such bonds outstanding at any time shall not exceed one and one-half per cent of the tax duplicate of the district.

Prior issues  
valid.

All bonds heretofore issued or authorized to be issued by any board of education under authority of next preceding section, for a lawful purpose, which have been or shall be sold for not less than par and accrued interest and the proceeds thereof have been or shall be paid into the treasury, shall be held to be legal, valid and binding obligations of the school district and the board of education thereof.

SECTION 2. That original section 7630 of the General Code be, and the same is hereby repealed.

Emergency law.

SECTION 3. This act is hereby declared to be an emergency law necessary for the immediate preservation of the public peace, health and safety. The reason for such necessity lies in the fact that doubts exist in relation to the sections amended by this act, making it impossible to sell bonds to provide prompt and urgent relief in rapidly

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

growing communities in which overcrowded and unsanitary conditions exist. Such conditions can not be remedied before the next school year by resort to a vote of the people.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

142 G.

[Senate Bill No. 241]

## AN ACT

To amend sections 12900, 12901, 12902, 12903, 12904 and 12905 of the General Code, providing for mandatory fire drills in public and private schools and children's homes, and for the teaching of fire prevention to the youth of the state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 12900, 12901, 12902, 12903, 12904 and 12905 of the General Code be amended to read as follows:

Sec. 12900. Whoever, being a principal or person in charge of a public or private school or educational institution having an average daily attendance of fifty or more pupils, or the person in charge of any children's home or orphanage housing twenty or more minor persons, wilfully neglects to instruct and train such children by means of drills or rapid dismissals at least once a month while such school, institution or children's home is in operation, so that such children in a sudden emergency may leave the building in the shortest possible time without confusion, or, in the case of schools, wilfully neglects to keep the doors and exits of such building unlocked during school hours, shall be fined not less than five dollars nor more than twenty dollars for each offense. The state fire marshal shall have authority to order the immediate installation of necessary fire gongs or signals in such schools, institutions or children's homes and enforce the further provisions of this section.

Neglect to instruct pupils in fire drills; penalty.

Sec. 12901. The state fire marshal and the superintendent of public instruction are hereby empowered and directed jointly to provide a course of study in fire prevention for use in the public, private or parochial schools

Course of study in fire prevention provided.

Neglect to give  
instruction;  
penalty.

of the state, dealing with the protection of lives and property against loss or damage as a result of preventable fire. It shall be the duty of each board of education or the board or persons in control of such schools to compel the use of such course of study in each school under their control. Whoever, being a teacher or instructor in a public, private or parochial school, wilfully neglects to devote at least fifteen minutes in each week during which such school is in session to instructing the pupils thereof as to the dangers of fire, shall be guilty of a misdemeanor and fined not less than five dollars nor more than twenty dollars.

Duty of  
teacher, etc.;  
book of in-  
structions.

Sec. 12902. On and after September first, one thousand nine hundred and twenty-one, it shall be the duty of each teacher in the public, private or parochial schools in the state to use such course of study in fire prevention in the classes under his control. There shall be placed in the hands of each teacher above mentioned, prior to September first, one thousand nine hundred and twenty-one, by the superintendent of public instruction, through the county superintendent of schools, a book for the purpose of the instruction of pupils provided in the next two preceding sections. Such book shall be conveniently arranged in a sufficient number of chapters or lessons to provide a different one thereof for each week of the maximum school year.

Preparation,  
publication and  
distribution of  
books of in-  
struction; ex-  
pense, how paid.

Sec. 12903. Such books shall be published at the expense of the state under the direction of the superintendent of public instruction and the cost thereof shall be paid from the special fund arising from the tax on insurance premiums paid by insurance companies for the support of the department of state fire marshal and the furtherance of fire prevention. In the year one thousand nine hundred and twenty-one, and prior to September first thereof, in order to supply the teachers of the state with the necessary textbooks, the superintendent of public instruction shall have prepared, published and distributed, in the manner provided above, not less than fifty thousand copies of such book bound in durable covers, and such additional number for future needs of the schools, as may be secured by the appropriation made herein. For the purpose of providing for the cost of the preparation, publishing and distribution of the course of study and texts herein provided for, there is hereby appropriated out of any moneys in the state treasury to the credit of the special fund created by operation of section 841 of the General Code, and not otherwise appropriated, the sum of fifteen thousand dollars to be available on and after the date this act goes into effect.

Laws not ap-  
plicable to col-  
leges and uni-  
versities.

Sec. 12904. The provisions of sections 12900, 12901 and 12902, General Code, shall not apply to colleges and universities.



Sec. 12905. Boards of education having control of the schools of a rural, village or city school district shall cause a copy of sections 12900 and 12901, General Code, to be printed in the manual or handbook prepared for the guidance of teachers, where such manual is in use.

Boards of education shall print laws for use of teachers.

SECTION 2. That original sections 12900, 12901, 12902, 12903, 12904 and 12905 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

143 G.

[House Bill No. 241.]

## AN ACT

To amend sections 1058-17 and 1058-23 of the General Code of Ohio, relating to boiler inspection.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1058-17 and 1058-23 of the General Code of Ohio be amended so as to read as follows:

Sec. 1058-17. (NUMBER OF GENERAL INSPECTORS.) The chief inspector of steam boilers may with the consent of the governor, appoint from the holders of certificates provided for in section 11, not to exceed ten general inspectors.

General inspectors; appointment.

(INSURANCE SPECIAL INSPECTORS.) Any company authorized to insure boilers against explosion in the state may designate from holders of certificates of competency approved by the board of boiler rules persons to inspect boilers covered by such company's policies, and the chief inspector of steam boilers shall issue to such persons commissions authorizing them to act as special inspectors. Such special inspectors shall be compensated by the company designating them, and the fee provided for in section 20 shall not be collected by such special inspectors.

Special inspectors; insurance; compensation.

(COMMISSION.) The chief inspector of steam boilers shall issue to each of such appointees, a commission

Issue of commission to appointees.

to the effect that the holder thereof is authorized to inspect steam boilers for the state of Ohio.

Appointee must be holder of certificate and commission.

No person shall be authorized to act for the state, either as a general inspector or a special inspector, unless he holds a certificate of having passed a written examination approved by the board of boiler rules, and also that he holds a commission from the chief inspector of steam boilers to represent the state in that capacity.

Boilers must be inspected when installed; certificate of inspection.

Sec. 1058-23. (INSPECTED WHEN INSTALLED.) All boilers installed after January 1, 1912, shall be inspected when installed. A boiler installed in this state prior to July 1, 1912, which does not conform to the rules of construction formulated by the board of boiler rules, may be used after a thorough internal and external inspection, and if the inspector deems it necessary, a hydrostatic test, and after a certificate has been issued by the chief inspector. The pressure allowed on such boilers is to be ascertained by rules formulated by board of boiler rules. No certificate of inspection shall be granted on any boiler installed after July 1, 1912, which does not conform to the rules formulated by the board of boiler rules. (Amended April 18, 1913.)

Boilers which may be installed.

(BOILERS WHICH MAY BE INSTALLED.) No certificate of inspection shall be granted on any boiler installed after July 1, 1913, which has not been thoroughly inspected during construction, and upon completion, by either a general or special inspector, and which does not conform in every detail with the rules formulated by the board of boiler rules, and upon completion distinctly stamped, under such rules as may be formulated by the board of boiler rules, by such inspector, who shall not be directly or indirectly interested in the manufacture or sale of steam boilers.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICH,  
Attorney General.

SECTION 2. That original sections 1058-17 and 1058-23 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A.D. 1921.

[House Bill No. 200.]

## AN ACT

To amend sections 7755, 7756, 7757, 7760 and 7761, General Code, and to add sections 7755-1 to 7755-5 inclusive, 7761-1 and 7763-5 to the General Code, relating to special classes for the blind, deaf and crippled, to state subsidies for the same and to the transportation and tuition of such children.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 7755, 7756, 7757, 7760 and 7761 of the General Code be amended, and that supplemental sections 7755-1 to 7755-5 inclusive, 7761-1 and 7763-5 of the General Code, be added to read as follows:

Sec. 7755. The superintendent of public instruction may grant permission to any city, village or rural board of education, upon its application, to establish and maintain a class or classes for the instruction of deaf or blind persons over the age of three, or of crippled persons over the age of five.

Instruction of deaf, blind and crippled.

The superintendent of public instruction may grant permission to any board of education which maintains a class for the instruction of blind persons, upon its application, to pay for the board of any blind persons, residents of this state, under the age of forty-five, provided that by so doing the board of education is enabled to further its educational plan for blind persons, and provided that such blind persons are not boarded in the homes of their parents or legal guardians, and further provided that such blind persons are under the training of a person or persons designated by such board of education to give such training. At no time shall the number of blind persons residents of the school district in which such class or classes for the blind are maintained who are so boarded at the expense of the board of education exceed one-fourth of the total enrollment for the year of such class or classes except by permission of the superintendent of public instruction.

Provision for instruction by board of education; payment of board; when.

Sec. 7755-1. The superintendent of public instruction may grant permission to any board of education which maintains a class for the instruction of crippled persons, upon its application, to pay for the board of any crippled persons, residents of the state and non-residents of the school district, who are being educated in such class, provided that such persons in the judgment of the board of education and the superintendent of public instruction cannot be transported from their respective homes to and from such class.

Payment of board by board of education, when.

Sec. 7755-2. If a child resident of one school district attends a class for the blind, deaf, crippled or those of defective mentality in another, the board of education of the district in which he resides may pay his tuition in a sum equal to the tuition in the district in which such class is located for a child of normal needs of the same school

Payment when child resident of one district attends in another.

grade. The board of education of the district in which such child resides may afford or pay for his transportation to the class in the other district; and the board of education of the district in which the class which he attends is located may provide his transportation to the class. Upon direction of the superintendent of public instruction the board of education of the district in which such child resides shall pay for his transportation and tuition.

Transportation  
of crippled  
child.

Sec. 7755-3. In case a child is so crippled that he is unable to walk to the school to which he is assigned the board of education of the district in which he resides shall provide for his transportation to such school. This section shall apply whether there is a special class for crippled children to which he is assigned or not. In case of dispute whether the child is able to walk to the school or not, the district health commissioner shall be judge of such ability.

Children in-  
structed in the  
home, how  
counted.

Sec. 7755-4. In case there are in any school district crippled children not able even with the help of transportation to be assembled in a school and instruction for these children is provided in the home, these children shall be counted under the provisions of section 7757, General Code, counting however three hours of instruction of such children by a teacher provided by the board of education as equal to the attendance of one child for two days at school.

Who may be  
counted as full  
time pupils.

Sec. 7755-5. If a child is handicapped by two of the defects mentioned in section 7755, General Code, the superintendent of public instruction may allow him to be counted as a full-time pupil among those with each kind of defect in determining the state's contribution to the classes for such children, provided the types of work and attention necessary for both types of children are afforded him.

How special  
class may be  
established.

Sec. 7756. Upon petition of the parents or guardians of crippled children in any school district of the respective ages named in section 7755, General Code, the board of education of the given district shall apply to the superintendent of public instruction for permission to establish a special class for such children, and if such is granted shall establish such class not later than the beginning of the following school year upon the standards prescribed under section 7761, General Code; if a board of education fails to perform its duty under this section, the provisions of section 7610, General Code, shall apply as to the acts relating to such special class.

How expenses of  
schools defrayed.

Sec. 7757. At the close of each school year the board of education of each school district in which any such classes for the education of the deaf, blind or crippled are maintained shall certify to the auditor of state the names and residences of the persons instructed in such special classes and the period of time each was instructed and the names and residences of the persons boarded at the expense of the board of education and the period of time

each was boarded; and the amount expended for special appliances and for the excess of current operating cost of the education of such pupils above the current operating cost of the education of an equal number of pupils of normal needs of the same school grades in the district for the same period of time; and thereupon the auditor of state shall draw his warrant upon the treasurer of state in favor of such board of education in an amount equal to that expended for the aforesaid purposes, but not to exceed three hundred dollars for each deaf or crippled pupil given instruction in such classes within said district for nine months during the said school year, and a proportionate amount for each deaf or crippled pupil given instruction therein for a part of said school year more or less than nine months, and not to exceed three hundred and seventy-five dollars for each blind person given instruction in such classes within said district for nine months during said school year, and a proportionate amount for each blind person given instruction therein for a part of said school year more or less than nine months, and two hundred and fifty dollars additional for each blind or crippled person boarded at the expense of such board of education for nine months during said school years and a proportionate amount for each blind or crippled person so boarded for a part of said school year more or less than nine months.

Current operating cost under the terms of this section shall be exclusive of any charges for rental and maintenance or operation of buildings. No charge shall be made against such schools for the deaf, crippled or blind for expenditures other than transportation which would have been incurred had such special classes not been in operation. The superintendent of public instruction shall be the final authority in deciding all questions relative to what constitutes special appliances and current operating cost under the terms of this section.

Sec. 7760. Any person of sound mind who, by reason of defective hearing, or vision or by reason of being so crippled as to be physically unable to properly care for himself without assistance, cannot properly be educated in the public schools as other children shall be considered deaf, blind or crippled within the meaning of sections 7755 and 7757, General Code.

Who considered  
deaf, blind or  
crippled.

Sec. 7761. The superintendent of public instruction shall at the close of each school year require from each board of education of a school district, conducting such schools for deaf, blind and crippled persons a financial statement showing expenditures during the preceding school year for special appliances and for the excess of current operating cost of such pupils above the current operating cost of the education of an equal number of pupils of normal needs of the same school grades in the same school district for the same period of time during said school year.

Annual state-  
ment of expen-  
ditures to su-  
perintendent.

Inspection of  
classes at least  
once a year.

The superintendent of public instruction shall select some competent person or persons to inspect all classes established under section 7755, General Code, at least once a year, and to report concerning the instruction in such classes, the conditions under which they are maintained and the conditions under which such blind and crippled persons are boarded.

Requirements  
prescribed by  
superintendent.

The superintendent of public instruction shall prescribe standard requirements for day schools for the deaf, blind, and crippled, which receive state aid, which requirements shall include the conditions under which such schools are conducted, the methods of instruction and supervision, the qualifications of teachers and the conditions and terms under which they are employed, the special equipment and agencies for instruction provided, and the conditions of the rooms and buildings in which the schools are held, and he shall prescribe conditions under which blind and crippled persons may be boarded at the expense of a board of education.

Co-operation  
among boards  
maintaining  
special classes.

Sec. 7761-1. The superintendent of public instruction shall have authority to arrange a plan of co-operation among boards of education which maintain special classes for the blind, for investigation into broader opportunities for the future employment of the pupils and better methods for their instruction. The cost of such investigation shall be charged to the current operating cost of the school for the blind. The superintendent of public instruction shall prescribe minimum standard requirements concerning the extent of such co-operation and the general methods of such investigation.

Valid excuse  
from attendance  
required; how  
determined.

Sec. 7763-5. In the case of a blind, partially blind, deaf or crippled child or a child of defective mentality an excuse granted under section 7763 or 7763-4, General Code, on the ground of bodily or mental condition shall not be a valid excuse from attendance by the child upon a day school for the blind, deaf, crippled or those of defective mentality or from attendance at a state institution for the care and instruction of the blind, deaf, crippled or those of defective mentality unless in the case of a day school there are factors in the child's condition or the means of reaching the school which make attendance at such a special class impracticable. If there is a day school for children handicapped in one of the above respects in the school district, or in another district and transportation to such class by school conveyance or common carrier is provided by a board of education or other agency, the superintendent of schools shall be the judge of the practicability of the child's attendance at such school adapted to the needs of children handicapped in the particular respect.

SECTION 2. That original sections 7755, 7756, 7757,

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

7760 and 7761, of the General Code, be and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

145 G.

[House Bill No. 265.]

## AN ACT

To supplement sections 1320, 1321 and 1324 of the General Code, relative to the practice of dentistry in the state of Ohio by the enactment of supplemental sections to be known as sections 1320-1, 1320-2, 1321-2, 1321-3, 1321-4, 1321-5, 1321-6, 1324-1, 1324-2 and 1324-3.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1320, 1321, and 1324 of the General Code be supplemented by the enactment of supplemental sections 1320-1, 1320-2, 1321-2, 1321-3, 1321-4, 1321-5, 1321-6, 1324-1, 1324-2 and 1324-3 to read as follows:

Sec. 1320-1. No person shall practice as a dental hygienist in this state except a licensed dentist or one who has obtained a license from the state dental board to practice as a dental hygienist as hereinafter provided.

License required to practice as dental hygienist.

Sec. 1320-2. A licensed dental hygienist may practice in a dental office, public or private school, hospital, dispensary or public institution, provided such service is rendered under the supervision of a licensed dentist of this state; and provided further, that no dentist shall employ more than one dental hygienist in the conducting of his private practice.

Where practice allowed, dentist may employ one.

Sec. 1321-2. Each person who desires to practice as a dental hygienist within this state shall file with the secretary of the state dental board a written application for a license, upon the form prescribed and verified by oath. Such applicant shall furnish satisfactory proof of being at least eighteen years of age, of good moral character, possessed of an education equivalent to completion of four years of a first grade high school of at least fifteen units, as defined in the school laws of this state; further such applicant shall present a diploma or certificate of graduation from a reputable school, as defined by the state dental board, for the training of dental hygienists; and further, such applicant shall pay the examination fee of

Written application; statements required; examination.

ten dollars. Those successfully passing such examination as the state dental board shall prescribe, shall receive a certificate of registration entitling them to practice as hereinbefore prescribed. An applicant failing to pass the first examination shall be entitled to a re-examination at the next regular or special examination of the state dental board without an additional fee; for each additional examination thereafter the regular fee of ten dollars shall be paid.

Practice limited.

Sec. 1321-3. The practice of a dental hygienist shall be limited to the removal by mechanical means only of calcareous deposits, accretions and stains from the exposed surface of the teeth and directly beneath the normal free margin of the gums.

Annual fee and information required; revocation.

Sec. 1321-4. All dental hygienists practicing in this state shall, on or before January 1st of each year, pay to the secretary of the state dental board a registration fee of one dollar and shall furnish such information as the board may require regarding their location, and the name of the licensed dentist or dentists under whose supervision they practice. The license of a dental hygienist, who neglects to pay the annual registration fee, as herein provided, may be revoked by the state dental board; but the board may, at its discretion, reinstate a delinquent licensee upon the payment of a fee of five dollars. The license of a dental hygienist shall be exhibited in a conspicuous place in the room in which said dental hygienist practices.

State board shall determine minimum curriculum.

Sec. 1321-5. The state dental board shall determine what shall constitute a minimum curriculum for a reputable school for dental hygienists, and shall have the power to examine the course of study, equipment and all facilities to be found in any school for dental hygienists; no such school shall offer a course of less than thirty-two weeks of actual instruction.

Record of dental hygienists and location.

Sec. 1321-6. The secretary of the state dental board shall keep a record of all dental hygienists in this state, together with location and supervising dentist.

License may be issued without examination, when.

Sec. 1324-1. The state dental board may issue a license without an examination to an applicant who furnishes satisfactory proof of being a graduate from a reputable school for dental hygienists of any state, territory or district of the United States, and who holds a license from a similar dental board having requirements not less than those of this state, provided no license shall be issued under this section unless authorized by the affirmative vote of all the members of the state dental board present at such meeting. Application for this privilege must be made out on the form prescribed by the Ohio state dental board, accompanied by a fee of ten dollars and a recommendation from the dental board of the state, territory or district of the United States in which the applicant has practiced.

Laws applicable.

Sec. 1324-2. The provisions of sections 1325, 1326



and 1327 for dentists shall apply with equal force, as far as applicable, to dental hygienists.

Sec. 1324-3. Any person practicing or attempting to practice as a dental hygienist in this state in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the same penalties provided for the illegal practice of dentistry. Any person employing a dental hygienist who has not complied with all the requirements of the Ohio statutes governing the licensing and practice of a dental hygienist shall be fined not less than one hundred dollars, and not more than two hundred dollars.

Violation of  
act, a misde-  
meanor.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

C. C. CRABBE,  
*Speaker pro tem of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 27, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921.

146 G.

[House Bill No. 2.]

## AN ACT

To amend sections 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573 and 3574, to add supplemental sections 3567-1 and 3568-1 of the General Code, relative to the annexation of one municipal corporation by another.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573 and 3574 of the General Code be amended and supplemental sections 3567-1 and 3568-1 be added to read as follows:

Sec. 3566. When it is proposed to annex territory of a municipal corporation to a contiguous municipality such annexation shall be effected in the manner herein-after described.

Annexation of  
territory to con-  
tiguous munici-  
pality.

Sec. 3567. The council or commission of any municipal corporation may propose annexation of its corporate territory to that of any contiguous municipality and shall thereupon pass an ordinance declaring its desire so to do, and to that end shall appoint three commissioners to represent it in such negotiations and to arrange the terms and conditions of annexation.

Arrangement of  
terms and con-  
ditions of an-  
nexation.

Sec. 3567-1. Or, if there shall be presented to the council or commission of a municipality proposed to be annexed to an adjoining or contiguous municipality, a petition signed by resident electors, who voted at the last municipal election, numbering not less than twenty-five per cent of the number of electors who voted in the

Petition for an-  
nexation; ap-  
pointment of  
commission.

last municipal election in the territory proposed to be annexed, representing their desire that such council or commission shall take the necessary steps to select and appoint three commissioners to represent such municipality in annexation proceedings, and such petition shall be accompanied by a certificate duly verified on belief by oath from the clerk of the board of deputy state supervisors and inspectors of election of the county in which said municipality is located to the effect that the petition does contain the names of resident electors who voted at the last municipal election, of a number not less than twenty-five per cent of those who voted at the last municipal election, the council or commission shall, within thirty days after the presentation of such petition, pass an ordinance declaring its intention to enter into negotiations with the municipal corporation with which annexation is proposed and shall appoint the three commissioners to represent it in such negotiations.

Designation of  
commissioners  
for negotiation.

Sec. 3568. Upon the passage of such ordinance the clerk of the council or commission passing such an ordinance shall submit a certified copy of the same to the council or commission of the municipality with which annexation is proposed, and thereupon, and within thirty days after the receipt of such certified copy, the council or commission of the municipality with which annexation is proposed may pass an ordinance designating three commissioners to represent it in such negotiations.

Procedure on  
failure of coun-  
cil to designate  
commissioners.

Sec. 3568-1. If within thirty days after receipt of a certified copy of an ordinance from a municipality proposing annexation designating its three commissioners, the council or commission of the municipality with which annexation is proposed shall fail to pass an ordinance designating three commissioners to represent it in such negotiations, then, on receipt of a petition signed by resident electors of a number not less than twenty-five per cent of the number of electors voting at the last previous municipal election of the municipality with which annexation is proposed, petitioning the council or commission to take such action as may be necessary to initiate annexation proceedings and to appoint three commissioners to represent it therein, the council or commission of said municipality shall pass an ordinance appointing these commissioners in such negotiations.

Arrangement of  
terms and con-  
ditions of an-  
nexation.

Sec. 3569. The commissioners appointed by their respective municipalities shall proceed to arrange the terms and conditions of annexation and report the result of their action to the council or commission of their respective corporations within one hundred and twenty days from the date of the appointment of the commissioners of the municipality with which annexation is proposed. If such commissioners shall be unable to agree upon the terms and conditions of annexation within said one hundred and twenty days, then the probate judge of the county in which said municipal corporations are situ-

Procedure on  
failure to  
agree; report.

ated shall appoint one additional commissioner who shall not be a resident of either of said corporations. Said additional commissioner shall act with the other commissioners appointed as aforesaid, in arranging terms and conditions of such annexation, and the conclusions arrived at and agreed upon by any four of said commissioners shall be the terms and conditions upon which said annexation shall be submitted to the voters of said municipalities, and the findings and conditions thus arrived at shall be reported by said commissioners to the council or commission of each of said municipal corporations.

Sec. 3570. Within thirty days after the filing of said terms and conditions of annexation with the councils or commissions of said municipalities, the councils or commissions of both such municipalities shall order the question of annexation, upon the terms and conditions contained in such report of said commissioners, to be submitted to a vote at the next regular election, whether state, county or municipal, occurring more than sixty days after the filing of such terms and conditions of annexation.

Submission of  
question of an-  
nexation.

Each ordinance shall prescribe the manner in which the submission shall be made and shall be published in its respective corporation by posters or otherwise, for the period of at least twenty days, prior to the time fixed for the election, in such manner as the council or commission deems most expedient, and a printed copy of such terms and conditions of annexation shall be mailed to each voter of each of such municipalities, as shown by the registration books.

Requisites of  
each ordinance.

Sec. 3571. If a majority of the electors of each corporation, voting on the question so submitted, be in favor of annexation, the council or commission of each corporation shall thereupon cause the result to be certified to the other corporation.

Certification of  
result to other  
corporation.

Sec. 3572. Under the direction of the corporation, to which territory is proposed to be annexed, the auditor or clerk thereof shall make and certify two transcripts of all the ordinances, abstracts of the returns of the votes, and other papers relating to annexation, one of which shall be filed in the office of the recorder of the county, who, having made a record thereof, shall file and preserve it, and the other shall be forwarded to the secretary of state.

Clerk of cor-  
poration to cer-  
tify transcripts.

Sec. 3573. When the transcripts are so certified, and one of them is delivered to the recorder and the other forwarded to the secretary of state, the annexation shall be complete and the aforesaid terms and conditions of annexation shall thereupon become operative. The corporation to which the annexation is made shall pass such ordinances as will carry into effect the terms and conditions of annexation in so far as they are not inconsistent with the provisions of this title and the general laws of the state of Ohio.

When annexa-  
tion deemed  
complete, and  
powers become  
operative.

How corporations to be governed; rights or liabilities not affected.

Sec. 3574. When the annexation is completed, the two former corporations shall be governed as one, embracing the territory of both, and the inhabitants of all such territory shall have equal rights and privileges, subject, however, to such terms and conditions of annexation. The annexation shall not affect any rights or liabilities existing at the time of annexation, either in favor of or against the corporations, except such as are affected by such terms and conditions of annexation and suits founded on such rights and privileges may be commenced, and pending suits prosecuted to final judgment and execution, as though the annexation had not taken place.

Repeals.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

SECTION 2. That original sections 3566, 3567, 3568, 3569, 3570, 3571, 3572, 3573 and 3574 of the General Code be and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

147 G.

[House Bill No. 10.]

## AN ACT

To amend section 6828-57 of the General Code, relative to conservancy districts.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 6828-57 of the General Code be amended to read as follows:

Surplus funds and annual reports.

Sec. 6828-57. Surplus funds and annual reports. Any surplus funds in the treasury of the district may be used for retiring bonds, reducing the rate of assessment or for accomplishing any other of the legitimate objects of the district.

Inspection and supervision of accounts and reports by bureau.

At least once each year, or oftener if the court shall so order, the board of directors shall make a report to the court of its proceedings and an accounting of receipts and disbursements to that date which shall be filed with the clerk of the court. The bureau of inspection and supervision of public offices shall inspect and supervise the accounts and reports of the district and all laws pertaining to said bureau shall be applicable to such inspection and supervision. In no instance shall the books as kept to date of first audit be changed; provided however that the system of the keeping of the books now in vogue may be changed thereafter upon recommendation of the auditor

of state. One copy of said audit and report shall be filed in the cause wherein the district was established, one copy with the secretary of the district and one copy with the auditor of state. The expense of said and such examinations shall be paid out of any funds of the district available therefor upon bills rendered monthly by the bureau of inspection and supervision of public offices. In the event said bureau fails to make an audit for any calendar year the court shall order an audit by public accountants of recognized standing who shall file their report thereon with the clerk of the court in said case and with the secretary of the district.

SECTION 2. That original section 6828-57 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

148 G.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

[House Bill No. 78.]

## AN ACT

To amend sections 4892 and 4906 of the General Code relative to the ages of electors for purposes of registration.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 4892 and 4906 of the General Code be amended to read as follows:

Sec. 4892. Each such register of electors shall contain space and ruled lines for at least seven hundred names, and be arranged and ruled in parallel columns with printed heading in the following order: Number (consecutively), full name, if of age, present place of residence, place of residence at last registration, occupation, term of residence, nativity, when naturalized, court, married or single, personal description, date of registration, sworn, signature, remarks. The rulings and headings of each page of the register shall be according to the following diagram enlarged.

Form of register of electors.

Sec. 4906. In entering his "number," such number shall be filled up consecutively, leaving no blank. In "name" they shall include his Christian name or names in full, as well as his surname. In the column as to present place of residence, shall be stated the name of the street, avenue, alley or way in which his dwelling is located or access thereto is usually had, and the number of the house, if it has one. If it has no number, a definite description

Manner of registration.

by which it can easily be found must in every case be given and entered. If there are more houses than the one under the number so given, or if there are other families, tenants or lodgers in that in which the applicant resides, he must specify in which house and on which floor and whether front or rear, of such house he resides, and the number and location of his tenement.

In the column as to "place of residence at last registration" shall be stated his then post office address, with street number, if any, and, if his residence was the same, the words "same residence" shall be entered.

In the column as to "age" the word "yes," and, if the applicant is not at the time twenty-one years of age, or more, the word "no."

In the column as to "occupation," his occupation and the name of his employer, if he has one, must be stated.

In the column as to "term of residence," the periods of years and months of his residence in the precinct and state must both be stated.

In the column as to "nativity," the name of the state or foreign country must be given.

In the column as to "naturalized," the answer "yes" or "no" or "native" must be given and stated. If naturalized, the proper certificate or evidence must be produced, unless such certificate has been filed with the board of deputy state supervisors, as herein provided.

In the column as to "married or single," if the head of a family, it must be so stated.

Nothing shall be entered in the column as to "personal description" until the applicant has signed the register, and then lines shall be drawn unless the applicant has been challenged, or signs by mark, in either of which events, the color of his hair, the color of his eyes, apparent height, apparent weight and other means of identifying him, such as the loss of a member, whether smooth-shaven or otherwise, and description of birthmarks, or scars, if any, shall be stated.

The column as to "date of registration" must be filled with the date on which the applicant actually registered, and none other.

SECTION 2. That original sections 4892 and 4906 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

149 G.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

[Re-Amended Senate Bill No. 198.]

## AN ACT

To amend sections 6373-6, 6373-10, 6373-14, 6373-17, 6373-24, and to add supplemental sections 6373-14a, 6373-20a, 6373-20b, 6373-20c, and 6373-21a, of the General Code, relative to the department of securities.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 6373-6, 6373-10, 6373-14, 6373-17, 6373-24 of the General Code be amended and supplemental sections 6373-14a, 6373-20a, 6373-20b, 6373-20c, and 6373-21a, be added to read as follows:

Sec. 6373-6. Such commissioner may at any time revoke any such license, or refuse to renew the same, upon ascertaining that the licensee:

Grounds for revocation or refusal to renew.

- (a) Is of bad business repute;
- (b) Has violated any provisions of this act; or
- (c) Has engaged, or is about to engage, under favor of such license, in illegitimate business or in fraudulent transactions.

No dealer whose license has been revoked shall be relicensed within six months from the date of such revocation.

The commissioner shall at once lay before the attorney general any evidence which shall come to his knowledge of criminality under this act and the attorney general shall transmit same to the prosecuting attorney of the proper county. Upon request of such prosecuting attorney, the attorney general shall assist in prosecutions in which event and as to such matter the attorney general and his assistants shall have all the rights, privileges and powers conferred by law upon prosecuting attorneys including the power to appear before grand juries and to interrogate witnesses before such juries. In the event of the neglect or refusal of such prosecuting attorney to institute and prosecute such violations, the attorney general shall be and is hereby authorized to proceed therein with all of the aforesaid rights and powers.

Prosecution for violations of act.

Sec. 6373-10. The information required in the preceding section need not be filed:

Information need not be filed, when.

- (a) Unless required by the commissioner, if the same has been filed by any other licensee; or

- (b) If actual current sales of the securities, at prices quoted, shall have been, from time to time, for not less than six months next preceding such disposal, published in the regular market reports of the news columns of a daily newspaper of general circulation in this state; or

- (c) Where the securities disposed of are those of manufacturing or transportation companies, or of common carriers or other public utilities, issued and outstanding in the hands of bona fide purchasers for value, prior to March 1st, 1914, where such companies, were, on said date, and shall be, at the time of sale, actual going concerns, either directly or through lessees, and where there

shall be at the time of sale, no default in payment of any part of the interest or principal of such securities; or

(d) Where the information required, other than the approximate selling price is contained in any standard manual of information, approved by such commissioner; or

(e) Where the disposal is made for a commission of less than one per centum of the par value thereof, by a licensee who is a member of a regularly organized and recognized stock exchange and who has an established and lawfully conducted place of business in this state, regularly open for public patronage as such.

Additional information and fee required of insured or underwriter before certificate issued.

Sec. 6373-14. For the purpose of organizing or promoting any company, or assisting in the flotation of the securities of any company after organization, no issuer or underwriter of such securities and no person or company for or on behalf of such issuer or underwriter shall, within this state, dispose or attempt to dispose of any such security until such commissioner shall issue his certificate as provided in section 6373-16 of the General Code which shall not be done until, together with a filing fee of five dollars, there be filed with the commissioner the application of such issuer or underwriter for the certificate provided for in section 6373-16, General Code, and, in addition to the other information hereinbefore required by paragraphs (a), (b), (c) and (d) of section 6373-9 of the General Code, the following:

(a) A certified copy of the articles of incorporation or association of the issuer, its regulations and by-laws;

(b) Certified copies of all minutes of stockholders and directors relative to the issue of such securities;

(c) A sworn statement made by the president and secretary of the issuer, showing in detail the items of cash, property, services, patents, good will and any other consideration for which such securities have been or are to be issued in payment;

(d) Like certified copies of all contracts or agreements between the issuer and any underwriters of such securities, and, if disposed of by the issuer, all contracts and agreements relative to the sale and disposition thereof, and any such contracts or agreements made subsequent thereto shall be filed immediately upon the execution thereof;

(e) All contracts made between such underwriter and any salesman, agent or broker.

Securities to which section does not apply.

This section shall not apply where the issuance of the securities has been approved by the public service commission or like body of any state of the United States or any province of the Dominion of Canada, or where the sale is made by or on behalf of an underwriter who, in good faith and not for the purpose of avoiding the provisions of this act, purchases the securities so afterward sold by him and pays therefor, in cash or its equivalent,



before attempting to sell the same, not less than ninety percentum of the price at which such securities are thereafter sold by him; nor where the securities are those of a common carrier or of a company organized under the laws of this state and engaged principally in the business of manufacturing, transportation, coal-mining or quarrying, and the whole or a part of the property upon which such securities are predicated is located within this state provided such company is an actual going concern, having been engaged in its principal business for a period of one year or more, and having no obligations which are past due and unpaid; nor of a real estate or building company all of whose property, upon which such securities are predicated is located in this state; nor in the case of an issuer excepted under paragraph (f) of section 6373-2, General Code, nor in cases where the filing of information is dispensed with under the provisions of paragraphs (b), c), (d), or (e) of section 6373-10, General Code.

The information required by paragraph (d) and (e) of this section shall be for the information of the commissioner only, and shall not be disclosed by him except when lawfully required in a judicial proceeding.

Sec. 6373-14a. In addition to the statements and information otherwise required to be filed with the commissioners prior to any sale of such securities by or through solicitors, dealers, agents or brokers, there shall be filed an irrevocable contract executed by each such solicitor, dealer, agent or broker authorized to offer or sell such securities by or in behalf of the issuer to the effect that the issuer will receive in cash not less than 85 percent of the proceeds of each sale of the securities without deduction for any additional commission, directly or indirectly, and without liability to pay any additional sum whatsoever as commission.

Contract by solicitor, dealer, agent, etc., before sale of securities.

Sec. 6373-17. Such certificate shall recite in bold type that the commissioner in no wise recommends such securities or other properties and no person or company shall advertise in connection with the sale of such securities the fact that such certificate has been issued. No issuer, dealer, broker, agent or other person shall, with intent to induce, aid or assist in the sale thereof, in any verbal, written, or printed form, make or publish any representation, statement or advertisement that any securities of any company are or have been in any manner approved or endorsed by the commissioner.

Certificate must state that commissioner in no wise recommends securities.

Sec. 6373-20a. Whoever, with intent to sell, or in any wise dispose of stocks, bonds, or securities, directly or indirectly, to the public for sale or distribution, or with the intent to increase the sales thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, causes, directly or indirectly to be made, published, disseminated, circulated or placed before the public,

Penalty for illegal sale or disposition of securities.

in this state, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort, of any stocks, bonds or securities, the issuance of which has not been authorized by the commissioner of securities or the issuance of which is not exempt by law from such authorization, shall be fined not less than fifty dollars, nor more than five thousand dollars, or imprisoned in the county jail not less than ten days or in the penitentiary nor more than two years, or both. Nothing in this section however, shall apply to the owners or publishers of newspapers who publish said advertising in good faith.

Aiding in sale or disposal, unlawful; penalty.

Sec. 6373-20b. Whoever with intent to aid in the disposal of any stocks, bonds or securities knowingly makes any verbal, written or printed statement or representation not authorized by the issuer, or any verbal, written or printed statement or representation at variance with or not reasonably predicated upon the statements and documents filed by the issuer in the office of the commissioner shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not to exceed one thousand dollars or imprisoned in the county jail or workhouse not more than one year, or both.

Sale when issuer known to be insolvent, unlawful; penalty.

Sec. 6373-20c. Whoever, being an officer, director, trustee, solicitor, agent, dealer or broker of or for any issuer, knowing such issuer to be insolvent, shall make any sale of any securities of and for any such issuer, without disclosing the fact of such insolvency to the purchaser, shall be deemed guilty of embezzlement and upon conviction thereof shall be fined in a sum of not less than one thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00) or may be imprisoned in the penitentiary for not less than one year nor more than five years, or both. For the purpose of this section, an issuer shall be deemed insolvent whenever the aggregate of its property shall not, at a fair valuation, be sufficient in amount to pay its debts.

Attorney-in-spector; salary; duties.

Sec. 6373-21a. There is hereby created in the department of securities a position to be known as attorney-in-spector, which position shall be held only by an attorney-at-law whose salary shall be \$3,500.00 per annum, to be paid as other operating expenses of said department. The duties of this position shall be to investigate and report upon all complaints and alleged violations of laws relating to the issue and sale of securities and to represent the department of securities in prosecutions arising therefrom.

Disposition of fees, charges and penalties.

Sec. 6373-24. All fees, charges and penalties required by law to be paid to the commissioner, and collected by him, shall be paid by him into the state treasury to the credit of a fund for the use of the department of securities, and shall be used upon the order of the commissioner, but shall not be used or paid out or appropriated for any other purpose.

**Repeals.**

The sectional numbers in this act are in conformity to the General Code.  
**JOHN G. PRICE,**  
*Attorney General.*

**SECTION 2.** That said original sections 6373-6, 6373-10, 6373-14, 6373-17, 6373-24 of the General Code be, and the same are hereby repealed.

**CLARENCE J. BROWN,**  
*President of the Senate.*

**RUPERT BEETHAM,**  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

**HARRY L. DAVIS,**  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

150 G.

[Amended Senate Bill No. 67.]

## AN ACT

To amend sections 8728-1, 8728-2, 8728-4, 8728-6 and 8728-11 of the General Code, relating to the formation and organization of corporations with common stock without par value.

*Be it enacted by the General Assembly of the State of Ohio:*

**SECTION 1.** That sections 8728-1, 8728-2, 8728-4, 8728-6 and 8728-11, of the General Code, be amended to read as follows:

**Sec. 8728-1.** The articles of incorporation of any corporation for profit under the laws of this state, except banking, safe deposit, trust and insurance corporations, or a corporation under the jurisdiction of the public utilities commission, may provide for the issuance of shares of common stock without any nominal or par value, by stating in such articles:

Common stock without par value authorized; exceptions.

(a) The total number of authorized shares which may be issued by the corporation, and the classes, if any, into which such shares are divided, the number of shares of each class and, if any of such shares be preferred stock, the terms and provisions thereof and the amount of each share thereof, which shall be five dollars or some multiple of five dollars, but not more than one hundred dollars.

Statements required in articles.

(b) The amount of common capital with which the corporation will begin to carry on business, which shall not be less than \$500.00.

Such statements in the articles of incorporation shall be in lieu of any statements required by law to be stated in the articles of incorporation as to the amount of the

capital stock, and the number of shares into which the same shall be divided, and the par value of such shares.

Filing fee.

The secretary of state shall charge and collect for filing such articles of incorporation a fee of five cents on each share of common stock authorized in the articles to be issued without any nominal or par value, and in addition thereto a fee of one-tenth of one per cent of the par value of the preferred stock authorized in the articles, but in no case shall the aggregate amount to be paid to the secretary of state be less than \$25.00, and upon any increase of authorized capital stock, either common or preferred, or both, such fees shall be charged and collected by the secretary of state.

Number of shares outstanding.

At no time shall the number of shares of preferred stock outstanding be more than two-thirds of the total number of shares, common and preferred, outstanding.

What each share shall show.

Each share of such common stock, without nominal or par value, shall be equal to every other share of such stock, except that the articles of incorporation may provide that such stock shall be divided into different classes, with such designation and voting powers or restrictions or qualifications thereof as shall be stated therein, but all such stock shall be subject to the preferences given to the preferred stock, if any, authorized to be issued. Every certificate for such shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the corporation is authorized to issue, and no such certificate shall express any nominal or par value of such shares.

Opening books of subscription; sale of shares; payment of dividends in shares, cash, etc.

Such corporation may receive subscriptions for, and issue and sell its preferred shares, as authorized by law. At the time of opening books of subscription to the capital stock, as required by law, subscriptions may be received for the common shares, without nominal or par value, for such consideration as may be decided upon by a majority of the incorporators at the time of ordering books to be opened for subscription; thereafter, subject to the provisions of section 8699, the corporation may issue and sell its said common shares, from time to time, for such consideration as shall be the fair value of such shares, as fixed by its board of directors, or for such consideration as shall be consented to in writing by the holders of all the outstanding shares of common stock, or for such consideration as shall be fixed by the vote of a majority in number of the outstanding common shares at a meeting called for that purpose in such manner as shall be prescribed by the code of regulations. Nothing herein shall prevent a corporation from paying dividends, subject to the limitations of this act, payable in common stock of the company at a price fixed by the board of directors instead of in cash or property. Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable

and the holder of such shares shall not be liable to the corporation or to its creditors in respect thereof.

Sec. 8728-2. When not less than five persons have subscribed for at least one share each of the capital stock, and paid ten per cent on each share subscribed for, the incorporators or a majority of them shall in lieu of the provisions of section 8633 at once so certify in writing to the secretary of state. As soon as such certificate is filed, the signers thereto and the stockholders shall proceed as provided in sections 8635 and 8636.

When corporation may begin business.

No corporation formed pursuant to this act shall begin to carry on business or shall incur any debts until the amount of common capital stated in its articles of incorporation, shall have been fully paid to the corporation in money or in property taken at its actual value; and a certificate to that effect signed and acknowledged by at least a majority of the directors, before an officer authorized to administer oaths, shall be filed with the secretary of state, who shall charge and collect therefor a fee of \$5.00. The rights of creditors and persons dealing with such corporation, without knowledge of the failure of the corporation to have complied with the foregoing provisions, shall not be affected thereby, but the directors of the corporation assenting to the creation of any debt in violation of this action shall be liable jointly and severally for such debt; but no action shall be brought under the foregoing provisions of this section unless, within one year after the debt shall have been incurred, the creditor shall have served upon the assenting director or directors written notice of intention to hold him or them personally liable for such debts. Any director who, because of any such liability under this section, shall pay any debt of the corporation, shall be subrogated to all rights of the creditor in respect thereof against the corporation and its property, and also shall be entitled to contribution from all other directors of the corporation similarly liable for the same debt, and the personal representative of any such director who shall have died before making such contribution.

Rights of creditors and others; limitation of actions.

No such corporation shall declare or pay any dividends except from surplus profits arising from its business. In case any dividend shall be declared or paid in violation hereof, the directors in whose administration the same shall have been declared or paid, except those who may have caused their dissent therefrom to be entered upon the minutes of such directors at the time, or who were not present when such action was taken shall be liable jointly and severally to such corporation or a creditor thereof, to the full amount of any loss sustained by such corporation or creditors respectively by reason of such dividend.

Payment of dividends.

The preferred stock, if any be issued, shall not be redeemed by the corporation if thereby the property and assets of the corporation will be reduced below the amount stated in the articles of incorporation or any amendment

When preferred stock may be redeemed.

thereof, as the common capital with which the corporation will begin to carry on business; nor shall such preferred stock be redeemed, if thereby the property and assets of the corporation will be reduced below the amount of its outstanding debts and liabilities.

Not subject to certain limitations on borrowing capacity.

Corporations formed or reorganized pursuant to this act shall not be subject to the limitations on borrowing capacity provided for by section 8705.

Increase or reduction of stock; fee.

Sec. 8728-4. Any corporation formed or re-organized so as to have common stock without par value may increase the amount of its stated common capital, or may reduce the same to not less than five hundred dollars, or may reduce the number of its authorized common shares, or may provide for preferred stock, or may amend its articles of incorporation or certificate of reorganization so as to accomplish any of the purposes authorized by section 8719 that are not inconsistent with any of the other provisions of this act, in the manner and in accordance with sections 8719 and 8723, inclusive, of the General Code, or may reduce the number of its authorized preferred shares as provided in section 8700 of the General Code and a charge of five dollars shall be made for such amendment or reduction. The secretary of state shall charge and collect for filing a certificate of amendment changing unissued common stock to preferred stock, a fee of one-tenth of one per cent of the par value of said preferred stock, less the fees theretofore paid upon the shares of common stock so changed, but not less than five dollars to be charged in any such case, and for filing every other certificate of amendment the fees provided by law for filing certificates of amendments.

Corporations formed or re-organized pursuant to this act may increase the total number of authorized shares in the manner provided by sections 8698 and 8699 of the General Code.

When and how amendment can be made.

An amendment cannot be made under this section unless as so amended the articles of incorporation could lawfully have been originally filed under this act. In case of a reduction of the amount of common capital of a corporation, a certificate setting forth the whole amount of the ascertained debts and liabilities of the corporation shall be made, signed and verified by the president or vice president, and by the secretary or treasurer of the corporation, and filed with the certificate of amendment; and such certificate of debts and liabilities shall have endorsed thereon the certificate of the commissioner of securities that he has received satisfactory proof that the reduced amount of capital is sufficient for the proper purpose of the corporation and that said corporation has tangible assets equal to or in excess of its ascertained debts and liabilities and the amount of said common capital as reduced, and also the par value of its preferred stock, if any, then outstanding.

Sec. 8728-6. If the amount of common capital, stated in the certificate of re-organization as that with which the re-organized corporation will begin to carry on business, be less than the total amount of the par value of the previously issued and outstanding common capital stock, there shall be annexed to such certificate an affidavit of the president or vice president and the secretary or treasurer of the corporation, setting forth the whole amount of the ascertained debts and liabilities of the corporation; and, in such case, the certificate of reorganization shall have endorsed thereon the approval of the commissioner of securities to the effect that he has received proof satisfactory to him that the amount of common capital stated in the certificate of reorganization as that with which the reorganized corporation will begin to carry on business is sufficient for the proper purposes of the corporation, and that said corporation has tangible assets equal to or in excess of its ascertained debts and liabilities and the amount of said common capital as stated in the certificate of reorganization, and also, the par value of its preferred stock, if any, then outstanding, or to be issued in exchange for outstanding stock as provided in said certificate.

When affidavit as to debts and liabilities required; endorsement of commissioner.

Sec. 8728-11. The amount of fees payable under section 5498 by a corporation formed or re-organized so as to have common stock without par value shall be three-twentieths of one percent upon its subscribed or issued and outstanding preferred stock, plus five cents for each share of common stock, without par value, subscribed or issued and outstanding, but not less than ten dollars in any case.

Amount of fees payable.

The amount of fees payable by a foreign corporation having common stock without par value under section 180 shall be the fees therein provided as to the authorized preferred stock, and five cents per share for the authorized common stock without par value, but such fees shall not be less than fifteen dollars nor more than fifty dollars. The amount of fees payable by such a foreign corporation under section 184 shall be one-tenth of one percent upon the proportion of authorized preferred stock represented by property owned and used and business transacted in this state, and five cents per share upon the proportion of the number of shares of authorized common stock, represented by property owned and used and business transacted in this state, but not less than ten dollars in any case; and the fee payable under section 185 by such corporations shall be determined in the same manner, but not less than ten dollars in any case; and under section 5503 shall be three-twentieths of one per cent upon the proportion of the authorized preferred stock represented by property owned and used and business transacted in this state and five cents per share upon the proportion of the number of shares of authorized common stock, represented by property owned and used and

business transacted in this state, but not less than ten dollars in any case.

Repeals.

SECTION 2. That said original sections 8728-1, 8728-2, 8728-4, 8728-6 and 8728-11 of the General Code, be and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May A. D., 1921.

151 G.

[House Bill No. 154.]

## AN ACT

To provide for the reimbursement of contractors engaged in the construction of public roads, highways, streets, inter-county highways and main market roads, on account of losses due to governmental action, and to make an appropriation therefor.

*Be it enacted by the General Assembly of the State of Ohio:*

Reimbursement of road contractors for losses due to governmental action; appropriation.

SECTION 1. The claims of road contractors having contracts for the construction, improvement, maintenance or repair of inter-county highways and main market roads let by the state highway department or in the making of which bids were received and opened by the state highway department before the twenty-ninth day of July, nineteen hundred and twenty, for reimbursements to the extent of added freight charges paid by them under and by virtue of the terms of the decision of the Interstate Commerce Commission in the matter of the application of carriers for authority to increase rates, docket number ex parte 74, known as the nineteen hundred and twenty rate advance case, 58 I. C. C. 220. and made on the twenty-ninth day of July, nineteen hundred and twenty, or under and by virtue of the terms of any decision or order of the Interstate Commerce Commission amendatory of or supplementary to the decision in said docket number ex parte 74, or issued for the purpose of carrying into effect the terms of said decision, or paid by them under and by virtue of the terms of the decision of the Public Utilities Commission of Ohio in the matter of the application of the steam railroad companies operating in the state of



Ohio for authority to file new schedules, effective upon less than thirty days' notice, number 885, and made on the seventeenth day of August, nineteen hundred and twenty, or under and by virtue of any other subsequent order or decision of the Public Utilities Commission of Ohio authorizing an increase in freight rates, upon materials transported to and used in such work on contracts so let or advertised for letting before such twenty-ninth day of July, nineteen hundred and twenty, are hereby declared to be valid and subsisting obligations of the state of Ohio.

SECTION 2. For the payment of such obligations there is hereby appropriated from the state highway improvement fund the sum of three hundred and eighty thousand dollars.

SECTION 3. The moneys hereby appropriated shall be available for and shall be used to reimburse only those persons, firms and corporations, who, on the said twenty-ninth day of July, nineteen hundred and twenty, had uncompleted contracts with the state of Ohio for the construction, improvement, maintenance or repair of a section or portion of an inter-county highway or main market road within the state, or who had prior to such date filed bids for such work, which bids had been opened, and upon which bids contracts were thereafter let, and such contractors shall be reimbursed from the moneys hereby appropriated only to the extent of any increased or extra freight charges paid by them under and by virtue of the terms of said decisions and orders of the Inter-state Commerce Commission and the Public Utilities Commission of Ohio hereinbefore described. Where anything required to be done or furnished in connection with any such contract has been or shall be performed or furnished by a person, firm or corporation other than the principal contractor, and under and by virtue of a contract entered into by such other person, firm or corporation with the principal contractor prior to the twenty-ninth day of July, nineteen hundred and twenty, such other person, firm or corporation shall be held to be a contractor within the terms of this act and proof of claim shall be made by and payment made directly to him or it, provided he or it be required by the terms of such contract to pay in the performance thereof extra or added freight charges under said decisions and orders of the Interstate Commerce Commission and the Public Utilities Commission of Ohio hereinbefore described.

When appropriation available.

The moneys hereby appropriated shall be available for the payment of such excess freight charges only in the event such materials have been or shall be transported to and delivered upon the site of the improvement upon which they are to be used prior to the first day of November, nineteen hundred and twenty-one. No part of the moneys hereby appropriated shall be paid to any contractor who has been or who shall be removed from his

control of the work covered by his contract under the provisions of section 1209 of the General Code. The term "freight charges" as used herein shall not be held to include demurrage charges, but shall be held to include taxes paid on the added freight charges, herein described. The word "materials" as used herein shall be held to include fuel consumed by the contractor in the prosecution of the work.

Where claims  
shall be filed;  
amount allowed;  
how determined;  
payment.

SECTION 4. All claims presented for allowance under the provisions of this act shall be filed with the state highway commissioner on or before the first day of December, nineteen hundred and twenty-one. The state highway commissioner shall immediately after such date carefully examine all such claims and the proof offered in support thereof and shall allow thereon such amount as is found by him to be due under the terms of this act. The amount to be allowed to each contractor shall be determined by computing the freight charges which such contractor would have been required to pay on such materials at the rate in force and effect on said twenty-ninth day of July, nineteen hundred and twenty, and subtracting the amount of such freight charges so computed from the amount of freight charges actually paid on such materials by such contractor under and by virtue of the terms of said decisions and orders of the Interstate Commerce Commission and the Public Utilities Commission of Ohio hereinbefore described, and the balance or remainder shall constitute the amount to be allowed. Upon completing his examination of the claims filed, the state highway commissioner shall transmit the same, together with his report as to the amounts found due thereon, to the sundry claims board, which board shall thereupon examine such claims and the report of the state highway commissioner in reference thereto and which board may require additional proof as to any of such claims and shall allow such amounts thereon as are found to be due. Payment of the amounts so found to be due shall be made by the warrants of the auditor of state issued upon the allowance of the sundry claims board, the same to be paid from the moneys hereby appropriated. Should the amounts found to be due exceed the amount hereby appropriated and should no additional allowance be made according to law, a pro rata distribution of the amount hereby appropriated shall be made. In the event of a change in the organization of the state highway department by legislative enactment abolishing the office of state highway commissioner, the duties herein cast upon the state highway commissioner shall be performed by the chief officer of the department or sub-department of government having charge of state highway construction. In the event the sundry claims

board should be abolished by legislative enactment, the duties hereby cast upon such board shall be performed by the auditor of state.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State of Columbus, Ohio, on the 17th day of May, A. D. 1921.

152 G.

[House Bill No. 334.]

## AN ACT

To amend section 3007 of the General Code, relative to the compensation of assignment commissioners.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3007 of the General Code be amended to read as follows:

Sec. 3007. For each day necessarily employed in the discharge of his duties, each jury commissioner of each county shall receive five dollars, but shall not be employed to exceed ten days in any year. Such compensation shall be paid from the county treasury upon the approval of the county commissioners. Provided, nevertheless, that the judges of the court of common pleas, in any county where more than two common pleas judges regularly hold court at the same time, may in joint session designate a period longer than ten days but not to exceed sixty days and in any county where more than eleven common pleas judges regularly hold court at the same time one hundred and twenty days during which such jury commissioners may act. Provided, further, that the judges of the court of common pleas in any county where more than two common pleas judges hold court at the same time, may in joint session appoint and designate the jury commissioners to be assignment commissioners to attend to the assignment of all cases for trial and to discharge such other duties as the court may require and for such services to be rendered by them as assignment commissioners or otherwise, they shall be allowed such compensation as the court appointing them may determine, not to exceed three thousand seven hundred dollars per year each, to be paid monthly from the county treasury, and an entry shall be made in the court journal designat-

Compensation of jury commissioners.

Jury commissioners may be designated as assignment commissioners.

ing the persons appointed as jury commissioners and assignment commissioners, and fixing their compensation.

SECTION 2. That original section 3007 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

153 G.

[House Bill No. 298.]

## AN ACT

To amend section 9594 of the General Code, relating to the certificate of incorporation of mutual protective associations and to enact supplementary section 9607-2a of the General Code, relating to articles of incorporation of mutual insurance companies.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 9594 of the General Code be amended and supplementary section 9607-2a be enacted to read as follows:

What certificate of incorporation shall set forth.

Sec. 9594. Such persons shall make and subscribe a certificate setting forth therein:

1. The name by which the association is to be known;
2. The place which shall be regarded as its center or business office;

3. The object of the association, which shall only be one or more of the objects set forth in the preceding section, and to enforce any contract by them entered into whereby the parties thereto agree to be assessed specifically for incidental purposes and for the payment of losses which occur to its members. The kinds of property proposed to be insured and the casualties specified in such preceding section proposed to be insured against, also must be specified in such certificate. Such certificate may be amended to change the name of the association or the place which shall be regarded as its center or business office or its objects, at any meeting of members thirty days' notice of which, and of the business to come before it, has been given by a majority of the directors in a newspaper published and of general circulation in the county where the company's center or business office is located. Such amendment, if adopted by at least three-fifths vote of the members present and voting at the meeting so

called and if not inconsistent with the constitution and laws of this state, and of the United States, shall be approved by the attorney general and secretary of state and such amendment and the certificate of approval by the attorney general shall be filed in the office of the secretary of state, and shall thereupon be in effect. After recording such amendment the secretary of state shall deposit a copy thereof with the superintendent of insurance.

In event of change of name of the association or change of the place of the center or business office, it shall be the duty of the superintendent of insurance, immediately upon the approval by him of such change or changes, to certify the fact of such change or changes to the secretary of state of Ohio, who shall make note thereof on the files of his office relating to such association.

Sec. 9607-2a. Such articles of incorporation may be amended at any meeting of members, thirty days' notice of which, and of the business to come before it, has been given by a majority of the directors in a newspaper published and of general circulation in the county where the company's principal place of business is located. Such amendment, if adopted by at least three-fifths vote of the members present and voting at the meeting so called and if not inconsistent with the constitution and laws of this state, and of the United States, shall be approved by the attorney general and secretary of state and such amendment and the certificate of approval by the attorney general shall be filed in the office of the secretary of state, and shall thereupon be in effect. After recording such amendment the secretary of state shall deposit a copy thereof with the superintendent of insurance.

SECTION 2. That original section 9594 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921.

154 G.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

Change of name  
or location must  
be approved by  
superintendent.

Amendment of  
articles; no-  
tice; approval  
by attorney  
general and sec-  
retary of state;  
deposit of copy.

[Amended Senate Bill No. 84.]

## AN ACT

To amend sections 3059, 3060, 3061, 3062, 3063, 3064, 3065, and 3068 and to add supplemental sections 3061-1, 3067-1 and 3068-1 of the General Code, relating to the construction and maintenance of a county memorial building to commemorate the services of the soldiers, sailors, marines and pioneers of the several counties of the state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3059, 3060, 3061, 3062, 3063, 3064, 3065 and 3068 of the General Code be amended and supplemental sections 3061-1, 3067-1 and 3068-1 be added, to read as follows:

County memorial building; petition for submission of question of tax levy for.

Sec. 3059. When there is presented to a judge of the court of common pleas, in any county, a petition signed by not less than two per cent of the electors of the county, as shown at the last preceding general election held therein, requesting the submission to the electors of the county the question of levying a tax in an amount stated in such petition, but not exceeding one mill annually for a period of not more than five years, for the purpose of purchasing a site and erecting and equipping and furnishing a memorial building to commemorate the services of the soldiers, sailors, marines and pioneers of the county, and of maintaining said memorial building, such judge shall forthwith fix a day for the hearing thereof, not more than fifteen days from the presentation thereof; and if, upon such hearing he finds that such petition is signed by the required number of electors, he shall certify the facts to the board of deputy state supervisors of elections or the board of deputy state supervisors and inspectors of elections, as the case may be, of the county, which board shall thereupon submit to the electors of the county, at the next ensuing primary or general election, the question of the levying of such tax for the purpose specified, and take all such steps as may be required by law for the holding of elections upon such question.

Formation of corporation for construction and maintenance of memorial building.

Sec. 3060. In addition to the method provided in section 3059, when in any county of the state, the residents thereof and therein have formed a corporation not for profit under the laws of this state, or may hereafter form and establish such corporation, for the purpose of purchasing or otherwise securing a site in the county, and raising the funds to construct or erect thereon and to maintain a memorial building thereon to commemorate the services of the soldiers, sailors and marines of said county, it shall be lawful, at any time after the passage of this act, for the trustees of said corporation by proper resolution to determine the propriety and advisability of submitting to popular vote at the next regular county election the question of assessing a tax and placing a levy of not exceeding one mill annually for not exceeding five consecutive years on all the taxable property for the

Submission of question to popular vote; procedure.

purpose of creating a fund to purchase or procure said site and to construct or erect thereon such a memorial building, and by petition to present to the court of common pleas of said county requesting the submission to the electors of the county the question of levying a tax in an amount stated in such resolution, but not exceeding one mill annually for a period of not more than five years, for the construction of such memorial building. Such court shall forthwith fix a day for the hearing thereof, not more than fifteen days from the presentation thereof, and if upon such hearing, the court finds such corporation legally organized and its proceedings regular, it shall certify the facts to the board of deputy state supervisors of elections of the county, which board shall thereupon submit to the electors of the county, at the next ensuing general election, the question of the levying of such tax for the purpose specified, and take all such steps as may be required by law for the holding of elections upon such question.

Sec. 3061. Notice of such election shall be given by publication in two or more newspapers of general circulation in the county for three weeks before such election. The form of the ballot for such election shall be as follows:

Notice of election; form of ballot.

For the extra tax levy of not exceeding.....  
for the period of .....years for the  
erection of a memorial building

Against the extra tax levy of not exceeding  
.....for the period of .....years  
for the erection of a memorial building.

The said election board shall certify the result of the election to a judge of the court of common pleas of said county, and if sixty per cent of the votes cast on the proposal at the election be in favor of the levy of such tax, the said judge within ten days after the receipt of such certification, shall appoint a board of trustees consisting of seven members, not more than two of whom shall be residents of the same township, and not more than four from the same political party. In cases in which such elections are called by a corporation not for profit, such trustees or any part thereof may be the same persons as the members of the board of trustees of such corporation. Three of such trustees shall be appointed for three years and four for five years, and thereafter upon the expiration of term, appointments shall be made for term of five years. Appointments to fill vacancies shall be for unexpired term.

Result certified to court of common pleas; appointment of trustees.

Sec. 3061-1. If sixty per cent of the electors voting on the proposition so submitted vote in favor thereof, upon the certification and canvass of such result the board of county commissioners of such county, in addition to all other levies authorized by law, shall annually, thereafter for not exceeding five consecutive years place a levy of not exceeding one mill on all the taxable property in said

Tax levy by county commissioners.

county on the grand duplicate, the same to be collected as other taxes, and said fund to be and remain a fund exclusive to said purpose, which levy shall be in addition to and outside of the combined maximum limitations on tax rates.

First meeting of trustees; organization; regular meetings.

Sec. 3062. The judge making the appointment shall fix a time and place for the first meeting of the trustees and give them notice thereof, which said time shall be not more than fifteen days after the date of their appointment. The trustees shall meet at the time and place appointed and organize by the selection of a president, vice-president and a secretary who need not be a member of the board, and in such event his compensation shall be fixed by the board. The trustees shall serve without compensation but shall be allowed traveling and other necessary expenses which together with the compensation of the secretary and other necessary expenses of said board shall be paid from the fund hereinafter provided upon the order of the president and secretary after being allowed and approved by said board of trustees at a duly authorized meeting. Vacancies in the office of trustees shall be filled in the same manner as the original appointment. The board of trustees shall hold regular meetings at such times and places as agreed upon and special meetings under such regulations as it prescribes and shall cause to be kept a full record of its proceedings.

"Memorial building fund;" how disbursed.

Sec. 3063. The fund arising from such tax levies shall be placed in the county treasury to the credit of a fund to be known as "the memorial building fund." Such fund shall be paid out upon the order of the board of trustees, certified by the chairman and secretary.

Bond of trustees; employment of superintendent, etc.

Sec. 3064. Before making any expenditure of the fund the trustees shall give bond to the state, in such sum as the judge in making the appointment shall fix and to the approval of such judge. The board of trustees may appoint and employ such superintendents, architects, clerks, laborers and other employes as they deem necessary and fix their compensation. Any such person may be removed by a majority of the trustees at any time.

Trustees may acquire lands.

Sec. 3065. The board of trustees may acquire by purchase, appropriation or otherwise, a suitable site for the memorial building. In case it shall become necessary to appropriate property for such purpose, the site fixed by the board of trustees shall be appropriated by proper proceedings in the manner provided by law for the appropriation of lands by counties for other county purposes. The board of trustees may accept donations of lands or money for such site and for the erection of the buildings, and all donations of money by gift, bequest or otherwise shall be placed to the credit of such fund. The site selected shall be centrally located, and as convenient as possible to the people of the county.



Sec. 3067-1. There shall be provided in such building suitable apartments of sufficient dimensions, to commemorate the soldiers, sailors and marines of the county who have lost their lives while in the service of the country, and suitable tablets shall be maintained with the names of such soldiers, sailors and marines inscribed thereon and said building may be otherwise devoted to the purposes of a community center, public library, or other public purpose.

Suitable apartments to commemorate the soldiers, sailors, etc., of county.

Sec. 3068. Upon the completion, equipping and furnishing of the memorial building, the trustees shall transfer the same to the county, and the title of such site and building shall thereupon vest in the county and the tenure of office of said trustees shall terminate and end and said board of trustees shall cease to exist as an official board, and thereupon the court of common pleas shall appoint a board of permanent trustees or if the said memorial building is to be used as a public library, may designate any board of public library trustees within the county as a board of permanent trustees ex-officio who shall have sole control, management and supervision of such memorial building and grounds under such rules and regulations as they may from time to time adopt, subject to the approval of the court. Such board of permanent trustees unless it consists of a board of library trustees shall be composed of three members who shall be appointed by the court of common pleas, one for two years, one for four years and one for six years, and at the expiration of their terms their successors shall be appointed in the same manner for terms of six years each. Such memorial building shall be for the use of the general public, military organizations to be given the preference.

Transfer to county upon completion; appointment of permanent trustees; use of building.

Sec. 3068-1. The board of permanent trustees may receive donations and bequests to aid in the maintenance of such memorial building and such moneys, together with moneys received from all other sources, shall be placed in a fund to be known as "the memorial building maintenance fund" and shall be paid out on vouchers signed by two members of such board. The county commissioners shall, upon request of the board, levy annually a tax sufficient to maintain such memorial building in a proper condition.

Donations, bequests, etc., may be received; how credited.

SECTION 2. That original sections 3059, 3060, 3061, 3062, 3063, 3064, 3065 and 3068 of the General Code be, and the same are hereby repealed.

Repeals.

CLARENCE J. BROWN,  
President of the Senate.

RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed April 26, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

[House Bill No. 216.]

## AN ACT

To amend sections 7730 and 7731 of the General Code and to add supplemental sections 7731-2, 7731-3, 7731-4, 7749-1 and 7749-2 to the General Code, relating to the suspension of schools, the transportation of pupils, or the boarding of pupils in lieu thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 7730 and 7731 of the General Code be amended and that supplemental sections 7731-2, 7731-3, 7731-4, 7749-1 and 7749-2 be added to the General Code, to read as follows:

When rural or village school may be suspended; transfer and conveyance of pupils; notice of suspension.

Sec. 7730. The board of education of any rural or village school district may suspend by resolution temporarily or permanently any school in such district because of disadvantageous location or any other cause, and teachers' contracts shall thereby be terminated after such suspension. Whenever the average daily attendance of any school in the school district for the preceding school year has been below ten the county board of education may, before the first day of August, direct the suspension and thereupon the board of education of the village or rural school district shall suspend such school. Whenever any school is suspended the board of education of the district shall at once provide for the assignment of the pupils residing within the territory of the suspended school to such other school or schools as may be named by the said board of education. Upon such suspension the board of education in authority over such village or rural school shall provide for the transportation of all pupils so assigned who reside in the territory of the suspended school and who live more than two miles by the nearest traveled highway from the school to which they have been assigned, to a public school in the rural or village district or to a public school in another district, except when in the judgment of such board of education confirmed by the judgment of the county board of education such transportation is unnecessary.

Ten days' notice of such suspension shall be posted in five conspicuous places within such village or rural school district by the board of education after the resolution providing for such suspension is adopted. Wherever such suspension is had on the direction of the county board of education then upon the direction of such county board, or upon the finding by the board of education ordering such suspension that such school ought to be re-established, such school shall be re-established.

How school may be re-established.

Upon petition filed with a local board of education between May 1 and August 1 of any year signed by the parents or guardians of twelve children between seven and fifteen years of age, living in the district and enrolled in school, whose residences are nearer to a certain school which has been suspended than to any other school of the district,

asking that such suspended school be reopened, the local board of education shall reopen such school for the ensuing school year provided there is a suitable school building in the territory of such suspended school as it existed prior to suspension.

Sec. 7731. In all city, exempted village, rural and village school districts where resident elementary school pupils live more than two miles from the school to which they are assigned the board of education shall provide transportation for such pupils to and from such school except when in the judgment of such board of education, confirmed, in the case of a school district of the county school district, by the judgment of the county board of education, or, in the case of a city or exempted village school district, by the judgment of the probate judge, such transportation is unnecessary. The transportation for pupils living less than two miles from the school house by the nearest practicable route for travel accessible to such pupils and the transportation of pupils who are pursuing high school branches shall be optional with the board of education, except as provided in section 7749, General Code.

When board shall provide transportation.

When transportation of pupils is provided the conveyance shall be run on a time schedule that shall be adopted and put in force by the board of education not later than ten days after the beginning of the school term and it must pass within one-half mile of the residence of such pupils or the private entrance thereto. When local boards of education neglect or refuse to provide transportation for pupils the county board of education shall provide such transportation and the cost thereof shall be paid as provided in section 7610-1, General Code.

Time schedule of conveyance.

Sec. 7731-2. It shall be the duty of the driver in charge of a vehicle engaged in the transportation of children to bring the vehicle to a full stop before crossing the tracks of any railroad or interurban electric line and not proceed across such tracks until absolutely certain that no car or train is approaching from either direction.

Vehicle shall be brought to full stop before crossing railroad.

The vehicle shall be of such construction as to afford the driver thereof a practically unobstructed view of the roadway ahead, and also to his right and left.

Sec. 7731-3. When transportation is furnished in city, rural or village school districts no one shall be employed as driver of a school wagon or motor van who has not given satisfactory and sufficient bond and who has not received a certificate from the county board of education of the county in which he is to be employed or in a city district, from the superintendent of schools certifying that such person is at least eighteen years of age and is of good moral character and is qualified for such position. Provided, however, that a county board of education may grant such certificate to a boy who is at least sixteen years of age and who is attending high school. Any certificate may be revoked by the authority granting same on proof

Qualifications of driver of vehicle; bond.

that the holder thereof has been guilty of improper conduct or of neglect of duty and the said driver's contract shall be thereby terminated and rendered null and void.

When parent, etc., may be employed to convey child or children; compensation.

Sec. 7731-4. If a local board deems the transportation of certain children to school by school conveyance impracticable and is unable to secure what is deemed a reasonable offer for the transportation of such children the local board shall so report to the county board of education. If the county board of education deems such transportation by school conveyance practicable or the offers reasonable they shall so inform the local board and transportation shall be provided by such local board. If, however, the county board of education agrees with the view of the local board it shall be deemed compliance with the provisions of sections 7730 and 7731, General Code, by such local board if such board agrees to pay the parent or other person in charge of the child or children for the transportation of such child or children to school the following amounts for each day of actual transportation:

For one child in family transported not more than three miles, seventy-five cents.

For one child in family transported more than three and not more than four miles, one dollar.

For one child in family transported more than four miles, one dollar and fifty cents.

For each additional child in a family, in every case, twenty-five cents.

For transportation to school only or from school only one-half of the above amounts.

Accurate days of attendance kept by teacher.

It shall be the duty of the teacher or teachers in charge of such children to keep an accurate account of the days they are transported to and from school. A failure of a parent or guardian to arrange to have his child transported to school, or his failure to have the child attend on the ground that the transportation is not supplied cannot be plead as an excuse for the failure of such parent or guardian to send such child to school or for the failure of the child to attend school.

Board may provide transportation to high school in another district.

Sec. 7749-1. The board of education of any village or wholly centralized rural school district may provide transportation to a high school in another district if none is maintained in the given district, or to a high school in another district of higher grade than the one maintained in the given district, for such children resident of the district as are entitled to have their tuition in high school paid by the given board of education.

When board may furnish the cost of child's room and board.

Sec. 7749-2. A board of education in a district which does not maintain a high school and which pays the tuition of a child resident of the district in a high school in another district, or a board of education which pays the tuition of a child resident of the district in a high school in another district of higher grade than that maintained in the given district may furnish the cost of such child's room and board while attending such school or a

part of such cost, provided such amount is less than the cost of transportation of such child and provided such action is approved by the county board of education.

SECTION 2. That original sections 7730 and 7731 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

.156 G.

[House Bill No. 378.]

## AN ACT.

To amend sections 1465-69, 1465-80, 1465-81, 1465-82, 1465-90 of the General Code, relating to workmen's compensation.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1465-69, 1465-80, 1465-81, 1465-82 and 1465-90 of the General Code be amended to read as follows:

Sec. 1465-69. Except as hereinafter provided, every employer mentioned in subdivision 2 of section 1465-60, General Code, shall, in the month of January, 1914, and semi-annually thereafter, pay into the state insurance fund the amount of premium determined and fixed by the industrial commission of Ohio for the employment or occupation of such employer the amount of which premium to be so paid by each such employer to be determined by the classifications, rules and rates made and published by said commission; and such employer shall semi-annually thereafter pay such further sum of money into the state insurance fund as may be ascertained to be due from him by applying the rules of said commission, and a receipt or certificate certifying that such payment has been made shall immediately be mailed to such employer by the industrial commission of Ohio, which receipt or certificate, attested by the seal of said commission shall be prima facie evidence of the payment of such premium.

Payments semi-annually by employer to state insurance fund.

Provided, however, that as to all employers who were subscribers to the state insurance fund prior to January 1st, 1914, or who may first become subscribers to said fund in any other month than January or July, the foregoing provisions for the payments of such premiums in

the month of January, 1914, and semi-annually thereafter shall not apply, but such semi-annual premiums shall be paid by such employers from time to time upon the expiration of the respective periods for which payments into the fund have been made by them. And provided further, that such employers who will abide by the rules of the industrial commission of Ohio and as may be of sufficient financial ability to render certain the payment of compensation to injured employes or the dependents of killed employes, and the furnishing of medical, surgical, nursing and hospital attention and services and medicines, and funeral expenses equal to or greater than is provided for in sections 1465-78 to 1465-89, General Code, and who do not desire to insure the payment thereof or indemnify themselves against loss sustained by the direct payment thereof, may, upon a finding of such fact by the industrial commission of Ohio, elect to pay individually such compensation, and furnish such medical, surgical, nursing and hospital services and attention and funeral expenses directly to such injured or the dependents of such killed employes; and the industrial commission of Ohio may require such security or bond from said employers as it may deem proper, adequate and sufficient to compel, or secure to such injured employes, or to the dependents of such employes as may be killed, the payment of the compensation and expenses herein provided for, which shall in no event be less than that paid or furnished out of the state insurance fund, in similar cases, to injured employes or to dependents of killed employes, whose employers contribute to said fund, except when an employe of such employer, who has suffered the loss of a hand, arm, foot, leg, or eye, prior to the injury for which compensation is to be paid, and thereafter suffers the loss of any other of said members as the result of any injury sustained in the course of and arising out of his employment, the compensation to be paid by such employer shall be limited to the disability suffered in the subsequent injury, additional compensation, if any, to be paid by the industrial commission of Ohio, out of the surplus created by section 1465-54 of the General Code. Should municipal or other bonds be accepted by said commission as security for said payments, such bonds shall be deposited with the treasurer of state, whose duty it shall be to have custody thereof and to retain the same in his possession according to the conditions prescribed by the order of said commission accepting the same as security, and said treasurer shall retain possession of said bonds until such time as he may be directed by said commission as to the mode and manner of his disposition of the same; and said commission shall make and publish rules and regulations governing the mode and manner of making application and the nature and extent of the proof required to justify such finding of fact by said commission as to permit such election by such employers, which rules and

regulations shall be general in their application, one of which rules shall provide that all employers, electing directly to compensate their injured and the dependents of their killed employes as hereinbefore provided, shall pay into the state insurance fund such amount or amounts as are required to be credited to the surplus in paragraph No. 2 of section 1465-54, General Code. The industrial commission of Ohio may at any time change or modify its findings of fact herein provided for, or revoke the right of such employer to pay compensation direct, if in its judgment such action is necessary or desirable to secure or assure a strict compliance with all the provisions of the law in reference to the payment of compensation and the furnishing of medical, nurse, and hospital services and medicines and funeral expenses to injured and the dependents of killed employes.

Sec. 1465-80. In case of injury resulting in partial disability, the employe shall receive sixty-six and two-thirds per cent of the impairment of his earning capacity during the continuance thereof, not to exceed a maximum of fifteen dollars per week, nor a greater sum in the aggregate than thirty-seven hundred and fifty dollars, and such compensation shall be in addition to the compensation allowed to the claimant for the period of temporary total disability resulting from such injury. In cases included in the following schedule, the disability in each case shall be deemed to continue for the period specified and the compensation so paid for such injury shall be as specified herein, and shall be in addition to the compensation allowed to the claimant for the period of temporary total disability resulting from such injury, to-wit:

Compensation in cases of partial disability.

For the loss of a thumb,  $66\frac{2}{3}\%$  of the average weekly wages during sixty weeks.

For the loss of a first finger, commonly called index finger,  $66\frac{2}{3}\%$  of the average weekly wages during thirty-five weeks.

For the loss of a second finger,  $66\frac{2}{3}\%$  of the average weekly wages during thirty weeks.

For the loss of a third finger,  $66\frac{2}{3}\%$  of the average weekly wages during twenty weeks.

For the loss of a fourth finger, commonly known as the little finger,  $66\frac{2}{3}\%$  of the average weekly wages during fifteen weeks.

The loss of the second, or distal phalange, of the thumb shall be considered to be equal to the loss of one-half of such thumb; the loss of more than one-half of such thumb shall be considered to be equal to the loss of the whole thumb.

The loss of the third, or distal phalange, of any finger, shall be considered to be equal to the loss of one-third of such finger.

The loss of the middle, or second phalange, of any finger, shall be considered to be equal to the loss of two-thirds of such finger.

The loss of more than the middle and distal phalanges of any finger shall be considered to be equal to the loss of the whole finger; provided, however, that in no case will the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

For the loss of the metacarpal bone (bones of palm) for the corresponding thumb, finger or fingers as above, add ten weeks to the number of weeks as above.

For ankylosis (total stiffness of) or contractures (due to scars or injuries) which makes any of the fingers, thumbs or parts of either more than useless, the same number of weeks shall apply to such members or parts thereof as given above.

For the loss of a hand,  $66\frac{2}{3}\%$  of the average weekly wages during one hundred and fifty weeks.

For the loss of an arm,  $66\frac{2}{3}\%$  of the average weekly wages during two hundred weeks.

For the loss of a great toe,  $66\frac{2}{3}\%$  of the average weekly wages during thirty weeks.

For the loss of one of the toes other than the great toe,  $66\frac{2}{3}\%$  of the average weekly wages during ten weeks.

The loss of more than two-thirds of any toe shall be considered to be equal to the loss of the whole toe.

The loss of less than two-thirds of any toe shall be considered to be no loss.

For the loss of a foot,  $66\frac{2}{3}\%$  of the average weekly wages during one hundred and twenty-five weeks.

For the loss of a leg,  $66\frac{2}{3}\%$  of the average weekly wages during one hundred and seventy-five weeks.

For the loss of an eye,  $66\frac{2}{3}\%$  of the average weekly wages for one hundred weeks.

For the permanent partial loss of sight of an eye,  $66\frac{2}{3}\%$  of the average weekly wages for such portion of one hundred weeks as the commission may, in each case determine, based upon the percentage of vision actually lost as a result of the casualty, but in no case shall an award of compensation be made for less than a 25% loss of vision.

In case an injury results in serious facial or head disfigurement which impairs the opportunities to secure or retain employment, the industrial commission of Ohio may in its discretion, make such award of compensation as it may deem proper and equitable, in view of the nature of the disfigurement and not to exceed the sum of thirty-seven hundred and fifty dollars.

The amounts specified in this clause are all subject to the limitation as to the maximum weekly amount payable as hereinbefore specified in this section.

Compensation  
in cases of per-  
manent total dis-  
ability.

Sec. 1465-81. In cases of permanent total disability, the award shall be sixty-six and two-thirds percent of the average weekly wages and shall continue until the death of such person so totally disabled, but not to exceed a maximum of fifteen dollars per week and not less than a



minimum of five dollars per week, unless the employee's average weekly wages are less than five dollars per week at the time of the injury, in which event he shall receive compensation in an amount equal to his average weekly wages.

The loss of both hands or both arms, or both feet or both legs, or both eyes, or of any two thereof, shall prima facie constitute total and permanent disability, to be compensated according to the provisions of this section.

Sec. 1465-82. In case the injury causes death within the period of two years, the benefits shall be in the amount and to the persons following:

Benefits in  
case of death.

1. If there be no dependents, the disbursements from the state insurance fund shall be limited to the expenses provided for in section forty-two hereof.

2. If there are wholly dependent persons at the time of the death, the payment shall be sixty-six and two-thirds percent of the average weekly wages, not to exceed fifteen dollars per week in any case and to continue for the remainder of the period between the date of the death and eight years after the date of the injury, and not to amount to more than a maximum of five thousand dollars, nor less than a minimum of two thousand dollars.

3. If there are partly dependent persons at the time of the death the payment shall be sixty-six and two-thirds per cent of the average weekly wages, not to exceed fifteen dollars per week in any case, and to continue for all or such portion of the period of eight years after the date of the injury, as the commission in each case may determine, and not to amount to more than a maximum of five thousand dollars.

4. In cases in which compensation on account of the injury has been continuous to the time of the death of the injured person, and the death is the result of such original injury, compensation shall be paid for such death as though same had occurred within the two years hereinbefore provided, deducting from the final award therefor the total amount theretofore paid on account of total or partial disability on account of such injury.

5. The following persons shall be presumed to be wholly dependent for support upon a deceased employee:

(A) A wife upon a husband with whom she lives at the time of his death.

(B) A child or children under the age of sixteen years (or over said age if physically or mentally incapacitated from earning) upon the parent with whom he is living at the time of the death of such parent, or for whose maintenance such parent was legally liable at the time of his death.

In all other cases, the question of dependency, in whole or in part, shall be determined in accordance with the facts in each particular case existing at the time of the injury resulting in the death of such employee, but no

person shall be considered as dependent unless a member of the family of the deceased employe, or bears to him the relation of husband, or widow, lineal descendent, ancestor or brother or sister. The word "child" as used in this act shall include a posthumous child, and a child legally adopted prior to the injury.

Power of commission to hear and determine questions; appeal in certain cases.

Sec. 1465-90. The commission shall have full power and authority to hear and determine all questions within its jurisdiction, and its decision thereon shall be final. Provided, however, in case the final action of such commission denies the right of the claimant to participate at all or to continue to participate in such fund on the ground that the injury was self-inflicted or on the ground that the accident did not arise in the course of employment, or upon any other jurisdictional ground going to the basis of the claimant's right, then the claimant, within thirty (30) days after the notice of the final action of such commission, may by filing his appeal in the common pleas court of the county wherein the injury was inflicted or in the common pleas court of the county wherein the contract of employment was made, in cases where the injury occurs outside of the state of Ohio, be entitled to a trial in the ordinary way, and be entitled to a jury if he demands it. In such a proceeding, the prosecuting attorney of the county, unless he represents the appellant shall represent the industrial commission of Ohio, without additional compensation, and he shall be notified by the clerk forthwith of the filing of such appeal, but if said prosecuting attorney represents the appellant, the industrial commission of Ohio shall be notified by said clerk forthwith of the filing of said appeal. Within thirty days after filing his appeal, the appellant shall file a petition in the ordinary form against such commission as defendant, and further pleadings shall be had in said cause, according to the rules of civil procedure. The industrial commission of Ohio shall certify with its answer a transcript of its record relating to the matter in which the appeal is taken, and the court, or the jury, under the instructions of the court, if a jury is demanded, shall determine the right of the claimant upon the evidence contained in such record and no other evidence and if they determine the right in his favor, shall fix his compensation within the limits under the rules prescribed in this act; and any final judgment so obtained shall be paid by the industrial commission of Ohio out of the state insurance fund in the same manner as such awards are paid by such commission. In claims for compensation, medical, hospital and nursing services and medicines and funeral expenses brought before said commission, by an injured employe or by his dependents in the event of his death as the result of injury sustained in the course of employment, in which said commission denies the right of claimant or claimants to receive or to continue to receive compensation from an employer who has duly elected to pay

Petition and further pleading.

Claims for compensation; medical, hospital, funeral, etc., expenses.

compensation, medical, hospital and nursing services, and medicines and funeral expenses direct to his injured and the dependents of his killed employes on the ground that the injury was self-inflicted, or on the ground that the injury did not arise in the course of employment, or upon any other jurisdictional ground going to the basis of the claimant's right, the claimant or claimants shall have the right to appeal to the common pleas court of the county wherein the injury was inflicted, or to the common pleas court of the county wherein the contract of employment was made, in cases where the injury occurs outside of the state of Ohio, in the same manner as in claims against the state insurance fund and as heretofore prescribed in this section, except that the employer shall be the defendant in such proceedings. Upon the filing of the petition by such claimant against such employer, the court wherein the petition is filed shall order the industrial commission of Ohio to certify to said court a transcript of its record in the claim in which the appeal is taken and further proceedings shall be had in said cause as provided in appeals against the industrial commission of Ohio, and if a verdict is rendered in favor of the claimant or claimants, compensation shall be fixed within the limits under the rules prescribed in this act; and any final judgment so obtained shall be paid by the employer. Such judgment shall have the same preference against the assets of the employer in favor of the claimant or claimants as is now, or may hereafter be, allowed by law on judgment rendered for claims for taxes. Any claims for compensation, medical, hospital and nursing services, and medicines and funeral expenses brought before said commission by an injured employe, or by his dependents in the event of his death as a result of injury sustained in the course of employment in which said commission denies the right of claimant or claimants to receive or to continue to receive compensation from an employer who has failed or neglected, either to contribute to the state insurance fund or to elect to pay compensation, medical, hospital or nursing services, and medicines and funeral expenses direct to his injured, or the dependents of his killed employes, on the ground that the injury was self-inflicted or on the ground that the injury did not arise in the course of employment, or upon any other jurisdictional ground going to the basis of the claimant's right, the claimant or claimants have the right to appeal to the common pleas court of the county wherein the injury was inflicted, or to the common pleas court of the county wherein the contract of employment was made, in cases where the injury occurs outside of the state of Ohio, in the same manner as in claims against the state insurance fund and as heretofore prescribed in this section; except that the employer shall be the defendant in such proceedings. Upon the filing of the petition by such claimant against such employer, the court wherein the petition is filed shall order

Preference of  
judgment against  
assets.

Appeal to  
common pleas  
court.

the industrial commission of Ohio to certify to said court a transcript of its record in the claim in which the appeal is taken and further proceedings shall be had in said cause as provided in appeals against the industrial commission of Ohio; and if a verdict is rendered in favor of the claimant or claimants, compensation shall be fixed within the limits under the rules prescribed in this act; and any final judgment so obtained shall be paid by the employer. Such judgment shall have the same preference against the assets of the employer in favor of the claimant or claimants as is now, or may hereafter be allowed by law on judgment rendered for taxes. The cost of any legal proceedings, authorized by this section, including an attorney's fee to the claimant's attorney to be fixed by the trial judge, shall be taxed against the unsuccessful party; provided, however, that such attorney fee shall not exceed twenty per cent of any award up to the sum of five hundred dollars, and ten per cent on all accounts in excess thereof, but in no event shall such fee exceed the sum of five hundred dollars. Either party in any of such proceedings shall have the right to prosecute error as in the ordinary civil cases.

How costs taxed.

Repeals.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That said original sections 1465-69, 1465-80, 1465-81, 1465-82 and 1465-90 of the General Code, be and the same are hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State, at Columbus, Ohio, on the 17th day of May, A. D. 1921.

157 G.

[House Bill No. 343.]

## AN ACT

To amend section 1231 of the General Code, relating to the state highway department, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1231 of the General Code be amended to read as follows:

Sec. 1231. The state highway commissioner, subject to the provisions of law governing the state highway department shall have power to purchase such equipment and materials, and employ such labor as may be deemed necessary, to execute any work upon said main market roads, or he may let contracts for the execution of any work upon said roads; and all such power shall extend to cases wherein county, township and villages, or any of them, cooperate, as herein authorized, as well as to cases wherein such local sub-divisions do not cooperate. The state highway commissioner shall be authorized to cooperate with a county, township or village in the improvement of any main market road, or in the doing of any part of the work incident to such improvement, upon any basis of the division of the cost of such work between the state and such county, township or village which he may deem just. He shall be authorized to do the grading at the expense of the state and cooperate with such county, township or village in constructing the pavement; or he may cooperate with such county, township or village in doing the grading, and construct the pavement at the expense of the state. He shall be authorized generally to do any part of the work at the expense of the state, and cooperate in doing any other part of the work upon any basis of division of cost between the state and the county, township or village which he may deem just. Counties, townships and villages shall be authorized to cooperate with the state highway commissioner in the doing of any work upon such main market roads upon any basis of the division of the cost thereof between the state and the county, township or village approved by the state highway commissioner, and the procedure shall be the same, except as may be otherwise provided herein, as in the case of cooperation in constructing an intercounty highway. The state highway commissioner is hereby authorized to sell, either at private sale, or at public sale after such notice as he may deem proper, any machinery, tools or equipment that through wear have become unfit for use. The proceeds of such sale shall be paid into the state treasury to the credit of the state highway improvement fund. The state highway commissioner is also authorized to exchange such machinery, tools and equipment for new equipment and pay the balance of the cost of such new equipment from any funds available for that purpose.

Purchase of equipment and material and employment of labor; co-operation with local authorities.

Sale of machinery, tools, etc., authorized; disposition of proceeds.

Provisions relating to contracts for inter-county highways apply to main market roads.

When contracts are let for the construction of main market roads, the provisions of sections 1178 to 1231-11, General Code, relating to the letting of contracts for intercounty highways, shall apply in all respects to letting of contracts for such main market roads. County commissioners, township trustees and village councils in addition to the special powers herein conferred shall have the same power and authority to cooperate in the construction, improvement, maintenance and repair of main market roads as is granted to them by law in the construction, improvement, maintenance and repair of intercounty highways; and in case the commissioners of any county, the trustees of any township, and the council of any village, or any such authorities, determine to cooperate in the construction, improvement, maintenance or repair of any main market road, the procedure, except as herein otherwise authorized, shall be the same as in the case of cooperation by such authorities, in the construction, improvement, maintenance and repair of intercounty highways, as provided in sections 1178 to 1231-11, General Code. The funds appropriated or available for main market roads shall be used in carrying out the provisions of this section.

SECTION 2. That original section 1231 of the General Code be, and the same is hereby repealed.

Emergency law.

SECTION 3. This act is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace, health and safety, and shall go into immediate effect. Such emergency consists in the fact that on many of the main market roads of the state, connecting important industrial and agricultural centers, there are unimproved portions, greatly interfering with and impeding transportation; and in order to correct such condition it is necessary that the state highway commissioner be vested with full power to proceed immediately with the improvement of such unimproved sections.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

158 G.

[House Bill No. 283.]

## AN ACT

To amend section 614-2, §3, of the General Code and to confer upon the Public Utilities Commission jurisdiction over the carrying of passengers for hire in motor vehicles.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 614-2 §3 of the General Code be amended to read as follows:

Sec. 614-2 §3. The following words and phrases used in this act (G. C. §§ 501, 502, 606, and 614-1 to 614-83) unless the same is inconsistent with the text shall be construed as follows:

Definition of terms.

The term "commission" when used in this act, or in chapter one, division two, title three, part first of the General Code and the acts amendatory or supplementary thereto means "The Public Service Commission of Ohio."

The term "commissioner" means one of the members of such commission.

Any person, or persons, firm or firms, co-partnership or voluntary association, joint stock association, company or corporation, wherever organized or incorporated;

When engaged in the business of transmitting to, from, through or in this state, telegraphic messages, is a telegraph company;

When engaged in the business of transmitting to, from, through or in this state, telephonic messages, is a telephone company and as such is declared to be a common carrier;

When engaged in the business of carrying and transporting persons, in motor vehicles of any kind whatsoever, for hire, from one village or city to any other village or city in this state, or to or from any city or village in this state to or from a point outside the state, is a transportation company and as such is declared to be a common carrier.

When engaged in the business of supplying electricity for light, heat or power purposes to consumers within this state, is an electric light company.

When engaged in the business of supplying artificial gas for lighting, power or heating purposes to consumers within this state, is a gas company;

When engaged in the business of supplying natural gas for lighting, heating or power purposes to consumers within this state is a natural gas company;

When engaged in the business of transporting natural gas or oil through pipes or tubing, either wholly or partly within this state, is a pipe line company;

When engaged in the business of supplying water through pipes or tubing, or in a similar manner to consumers within this state, is a water works company;

When engaged in the business of supplying water, steam, or air through pipes or tubing to consumers within

this state for heating or cooling purposes, is a heating or cooling company;

When engaged in the business of supplying messengers for any purpose, is a messenger company;

When engaged in the business of signalling or calling by an electrical apparatus, or in a similar manner, for any purpose, is a signalling company;

When engaged in the business of operating, as a common carrier, a railroad, wholly or partly within this state with one or more tracks upon, along, above or below any public road, street, alley, way or ground, within any municipal corporation, operated by any motive power other than steam, and not a part of an interurban railroad, whether such railroad be termed street, inclined plane, elevated, or underground railroad, is a street railroad company;

When engaged in the business of operating as a common carrier whether wholly or partially within this state, a part of a street railway constructed or extended beyond the limits of a municipal corporation, and not a part of an interurban railroad is a suburban railroad company.

When engaged in the business of operating a railroad, wholly or partially within this state, with one or more tracks from one municipal corporation or point in this state to another municipal corporation or point in this state, whether constructed upon the public highways or upon private rights-of-way, outside of municipalities, using electricity or other motive power than animal or steam power for the transportation of passengers, packages, express matter, United States mail, baggage and freight, is an interurban railroad company, and included in the term "railroad" as used in section 501 of the General Code. The term "railroad," when used in this act, includes all railroads, interurban railroad companies, express companies, freight line companies, sleeping car companies, equipment companies, car companies, water transportation companies, and all persons and associations of persons, whether incorporated or not, operating such agencies for public use in the conveyance of persons or property within this state.

SECTION 2. That said original section 614-2 § 3, of the General Code be and the same is hereby repealed.

RUFERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

159 G.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*



[House Bill No. 291.]

## AN ACT

To amend sections 1746, 1746-1, 1746-2 and 3347 of the General Code relating to fees and costs.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1746, 1746-1, 1746-2 and 3347 of the General Code be amended, to read as follows:

Sec. 1746. For their services in criminal proceedings, when rendered, justices of the peace shall tax as costs and collect from the judgment debtor, except as otherwise provided by law, the following fees, and no more: Taking, certifying and docketing affidavit, eighty cents; taking and docketing security for costs, fifty cents; indexing case, twenty cents; issuing and docketing warrant to arrest and docketing return thereof, each person named therein, eighty cents; issuing and docketing summons to corporation and docketing return thereof, eighty cents; issuing and docketing search warrant and docketing return thereof, eighty cents; taking bond or recognizance and docketing, eighty cents; issuing and docketing commitment to jail, pending trial and docketing return thereof, seventy-five cents; granting and docketing each continuance, fifty cents; issuing and docketing subpoena and docketing return thereof, each person named therein, ten cents; issuing and docketing venire for jury and docketing return thereof, each person named therein, ten cents; issuing and docketing order on jailer for prisoner or prisoners and docketing return thereof, seventy-five cents; taking and docketing waiver of trial by jury, forty cents; swearing and docketing each witness used in the case, ten cents; swearing jury, forty cents; hearing case, on appearance before evidence is introduced, one dollar; hearing case where evidence is introduced, two dollars; pronouncing and docketing judgment of conviction or dismissal, eighty cents; numbering, filing and docketing each paper necessary to be preserved, ten cents; issuing certificate of fees to witnesses and jurors, each, ten cents; entering fine and costs on cashbook and properly distributing the same, forty cents; issuing and docketing final mittimus to jail or workhouse and docketing return thereof, eighty cents; taking recognizance of witnesses with not less than two sureties and docketing, seventy-five cents; issuing and docketing execution against property or person and docketing return thereof, seventy-five cents; hearing and determining motion or demurrer and docketing the decision thereon, each, one dollar; making transcript of docket including certificate, two dollars and fifty cents; signing and certifying bill of exceptions, fifty cents; issuing and docketing any order or writ required by law, not mentioned above, and docketing return thereof, seventy-five cents; making itemized cost bill on docket, fifty cents; signing and certifying bill of exceptions fifty cents; issuing and docketing any order or writ required by law, not mentioned above, and docketing return thereof, seventy-five cents; making itemized cost bill on docket, fifty cents.

Fees of justices  
of the peace in  
criminal pro-  
ceedings.

Fees of justices  
of the peace in  
civil proceedings.

Sec. 1746-1. For their services in civil proceedings, when rendered, justices of the peace shall tax as costs and collect from the judgment debtor the following fees, and no more: Docketing petition or bill of particulars, fifty cents; appointing guardian to prosecute or defend suit for minor and docketing, sixty cents; taking and docketing security for costs, sixty cents; indexing case, each plaintiff and defendant, ten cents; taking, certifying and docketing an affidavit, eighty cents; taking, approving and docketing a bond, undertaking or recognizance, eighty cents; issuing and docketing summons and docketing return thereof, each defendant named therein, forty cents; issuing and docketing order of attachment and docketing return thereof, seventy cents; issuing and docketing order of arrest and docketing return thereof, seventy cents; issuing and docketing writ of replevin and docketing return thereof, seventy-five cents; granting and docketing each continuance, forty cents; issuing and docketing commitment to jail and docketing return thereof, seventy cents; issuing and docketing subpoena and docketing return thereof, for each person named therein, ten cents; issuing and docketing venire for jury and docketing return thereof, each person named therein, ten cents; issuing and docketing order on jailer for prisoner and docketing return thereof, sixty cents; swearing and docketing each witness used in case, ten cents; swearing jury, forty cents; hearing case on appearance, without trial, one dollar; hearing case when defense is interposed, two dollars; pronouncing judgment and docketing, eighty cents; hearing, determining and docketing the decision of a motion or demurrer, each, one dollar; entering a rule of reference, fifty cents; swearing and docketing arbitrators, each, forty cents; issuing and docketing writ of restitution and docketing return thereof, eighty cents; numbering, filing and docketing each paper necessary to be preserved, ten cents; entering judgment and costs on cashbook and properly distributing the same, forty cents; issuing and docketing execution against property or person and docketing return thereof, eighty cents; poundage on judgment debt not collected within ten days after rendition of judgment, or within ten days after stay of execution, if such stay is taken, except on execution, four per cent; making transcript of docket, including certificate, two dollars and fifty cents; signing and certifying bill of exceptions, fifty cents; reducing testimony to writing in bastardy proceedings, one dollar and fifty cents; issuing and docketing any writ or order required by law not mentioned above and docketing return thereof, seventy-five cents; making itemized cost bill on docket, fifty cents.

Fees of justices  
for miscellaneous  
services.

Sec. 1746-2. For miscellaneous services, justices of the peace shall charge and collect from the persons for whom the services are rendered the following fees, and no more: Copy of any affidavit, writ, order or record, including certificate if required, twenty cents per hundred

words; appointing and swearing special constable and docketing, twenty-five cents; appointing and swearing appraisers and docketing, each, eighty cents; taking acknowledgment of deed or other instrument of writing, eighty cents; taking depositions and certifying to same, twenty-five cents per hundred words; swearing witnesses, each, ten cents; performing the marriage ceremony and making return thereof, three dollars; taking and certifying proof of an account or claim against the estate of a deceased person, fifty cents; administering and certifying to oaths required in the procurement of bounties and pensions and payment of pensions, ten cents; administering the oath of office to a justice of the peace and making record thereof, or administering said oath to any other officer elect and certifying to same, fifty cents; viewing body in coroner cases, five dollars; trial by jury, sitting in each case, two dollars and fifty cents, and fees of jurymen, in each case, in justice court, one dollar and fifty cents.

Sec. 3347. For services actually rendered and expenses incurred, regularly elected and qualified constables shall be entitled to receive the following fees and expenses, to be taxed as costs and collected from the judgment debtor, except as otherwise provided by law: Serving and making return of each of the following orders or writs, for each defendant named therein including copies to complete service, if required by law, one dollar; viz., search warrant, warrant to arrest, order to commit to jail, order on jailer for prisoner or prisoners, order of attachment, order of ejectment, order of restitution, and writ of replevin; serving and making return of each of the following notices and writs, for each person named therein, including copies to complete service, if required by law, eighty cents: viz., summons, subpoena, venire and notice to garnishee; serving and making return of execution against property or person, eighty cents, and six per cent. of all money thus collected; serving and making return of any other writ, order or notice, required by law, not mentioned above, for each person named therein including copies to complete service, if required by law, eighty cents; mileage for the distance actually and necessarily traveled in serving and returning any of the preceding writs, orders and notices, first mile fifty cents and each additional mile, fifteen cents; attending criminal case during trial or hearing and including having charge of prisoner or prisoners, each case, two dollars and fifty cents, but when so acting, shall not be entitled to a witness fee if called upon to testify; attending civil court during jury trial, each case, two dollars; attending civil court during trial, without jury, each case, one dollar and fifty cents; actual amount paid solely for the transportation, meals and lodging of prisoners, and the moving and storage of goods and the care of animals taken on any legal process, the same to be specifically itemized on the back of the writs and sworn to; summoning and swearing appraisers, each case,

Fees of constables.

two dollars; advertising property for sale, by posting, taken on any legal process, one dollar; taking and making return of any bond required by law, eighty cents.

Repeals.

SECTION 2. That original sections 1746, 1746-1, 1746-2 and 3347 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

160 G.

[Amended Senate Bill No. 153.]

## AN ACT

To amend section 13133 of the General Code, relative to defrauding insurance companies.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That original section 13133 of the General Code be amended to read as follows:

Obtaining money fraudulently from insurance company.

Sec. 13133. Whoever obtains or attempts to obtain from a life or accident insurance company, money on a policy issued by such company in this state, by falsely and fraudulently representing the insured to be dead, or procures such policy to be issued to or in a fictitious or assumed name and falsely represents the fictitious person so insured to be dead, thereby obtaining or attempting to obtain from such company the amount of such insurance or part thereof, or obtains insurance upon the life of another not applying for such insurance, or attempts to obtain insurance upon another's life for his own benefit without the knowledge of the person to be insured, or falsely obtains or attempts to obtain money from such company upon a policy by a false and fraudulent written representation or affidavit that the insured is dead or injured, or whoever obtains or attempts to obtain from a fire, motor vehicle or other insurance company, money on a policy issued by such company in this state, by falsely and fraudulently representing that any motor vehicle of any kind, covered by such policy, has been stolen or by procuring or conspiring to permit the same to be stolen, or by fraudulently and wilfully damaging any automobile or motor vehicle covered by such policy

or procuring the same to be done, shall be imprisoned in the penitentiary not more than fifteen years, or, when the money so obtained or attempted to be obtained is less than thirty-five dollars, shall be fined not more than five hundred dollars or imprisoned not more than six months, or both.

SECTION 2. That said original section 13133 be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

161 G.

[House Bill No. 34.]

### AN ACT.

To provide temporary financial relief for local taxing districts, by authorizing tax levies beyond the limitations fixed by law, under certain conditions.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. In addition to any power vested in county commissioners, township trustees, taxing authorities of municipalities and boards of education by any laws authorizing the submission to the electors of their respective subdivisions of tax levies outside of any of the limitations imposed by sections 5649-2, 5649-3a, and 5649-5b of the General Code, any such board or taxing authority may at any time prior to the twentieth day of September, nineteen hundred twenty-three, by a vote of two-thirds of all the members elected thereto, declare, by resolution, that the amount of taxes that may be raised by the levy of taxes at the combined maximum rate authorized by section 5649-5b of the General Code and within all other limitations imposed by law on tax rates within its taxing district will be insufficient and that it is expedient to levy taxes in excess of such limitations in any or all of the years 1921, 1922 and 1923, and cause a copy of such resolution to be certified to the deputy state supervisors of elections for the proper county or counties. Such resolution shall state the rate at which it is necessary to levy such addi-

Relief from local taxing districts beyond fixed limitations; resolution as to tax levy; copy.

tional taxes during each or any of the years 1921, 1922 and 1923.

Submission of  
question; pro-  
cedure.

SECTION 2. Such proposition shall be submitted to the electors of such taxing district at the November election that occurs more than thirty days after the adoption of such resolution. The deputy state supervisors shall prepare the ballots and make the necessary arrangements for the submission of such question and the election shall be conducted, canvassed and certified in like manner, except as otherwise provided by law, as regular elections in such taxing district for the election of officers thereof. Notice of the election shall be given in one or more newspapers printed in the taxing district once a week for four consecutive weeks prior thereto, stating the time, place and purpose of holding the election. Such notice shall state the number of mills which may be levied under section 3 of this act in the event the proposition receives sixty per cent of those voting thereon and the number of mills, if any, which may be levied under section 4 of this act in the event the proposition receives a majority only of those voting thereon but fails to receive sixty per cent of those voting thereon. If no newspaper is printed therein, the notice shall be posted in a conspicuous place and published for four consecutive weeks prior to such election in a newspaper of general circulation in such taxing district.

The form of the ballots cast at such election shall be:

Form of ballot.

"For removing from tax limitations a tax levy of ..... mills of the .....for a period of .....years. Yes."

"For removing from tax limitations a tax levy of ..... mills of the ..... for a period of .....years. No."

Certification of  
tax rate, etc., to  
county auditor  
when 60% vote  
affirmatively.

SECTION 3. If sixty per cent of the electors voting on the proposition at such election vote affirmatively on the proposition so submitted, such board or council may, not later than the second Monday after the canvass of the votes at such election in the year in which the election is held, and thereafter at the times mentioned in section 5649-3a, of the General Code, levy taxes within its taxing district for any and all purposes of such taxing district, irrespective of any of the limitations imposed by sections 5649-1 to 5649-6 inclusive, of the General Code, limiting tax rates to the number of mills and for the number of years stated in said resolution submitted to the electors; and the county auditor to whom such levies are certified shall forthwith extend such levies on the tax duplicate of such district for collection.

Effect when  
proposition fails  
to receive ap-  
proval of  
electors.

SECTION 4. If the proposition submitted to the electors of a taxing district under this act fails to receive the approval of the electors in the manner required by the preceding section, but a majority of the electors voting thereon vote in favor thereof, the preceding section shall in no respect apply, but such election shall have the same

effect as if held under sections 5649-5 and 5649-5a of the General Code, as defined in section 5649-5b of the General Code, on the proposition of levying additional taxes at the rate of not exceeding three mills for a period of three years; but nothing in this section shall so apply as to reduce the number of mills which the electors of such taxing district may have, prior to the holding of such election, authorized to be levied for any year within such three-year period, by vote under such sections of the General Code referred to herein, nor the number of years for which such electors may have so authorized additional levies to be made by such vote.

SECTION 5. The taxing authorities of any municipality in which the people have voted, or may hereafter vote "Yes" on the question of exempting interest and sinking fund levies from tax limitations under the provisions of section 5649-6a of the General Code are hereby authorized to levy annually in the years 1921, 1922 and 1923, for the general purposes of such municipality in addition to the levy authorized by section 5649-3a of the General Code, a tax not exceeding three mills upon each dollar of the taxable property of such municipality. Such levy shall be subject only to the combined maximum rate for all taxes imposed by section 5649-5b of the General Code, and shall include any levies heretofore authorized by vote of the electors of the municipality under section 5649-5b and in cities maintaining a municipal university a sufficient levy under and within the provisions of section 7908 of the General Code to produce the amount of the budget requested by the board of directors of such municipal university. If the aggregate items of any municipal budget for the purpose for which a tax may be levied under section 5649-3a and under this section, would require in municipalities in which a township levy is not operative, a total levy of five mills or in municipalities in which a township levy is operative a total levy of four mills, the budget commissioners shall not reduce such items of such municipal budget below an amount which would be produced by a levy in such municipality of five or four mills, respectively, and shall not reduce the levy made under this section to a less number of mills than that amount which taken together with the levy allowed to such municipality under section 5649-3c will amount to a total levy of five or four mills respectively.

Provided, that the budget commissioners must first make provision for all sinking fund and interest charges outside of the ten mill limit, and subject to the combined

Tax levy authorized for years 1921, 1922, and 1923.

This act is not  
of a general and  
permanent na-  
ture and requires  
no sectional  
number.  
JOHN G. PRICE,  
*Attorney  
General.*

maximum rate imposed by section 5649-5b of the General Code.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 17th day of May, A. D. 1921.

162 G.

[House Bill No. 218.]

## AN ACT

To provide for the acceptance of the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise; to provide for the appointment of a custodian of all moneys received by the state from appropriations made by the Congress of the United States for the purpose stated; to provide for the appointment of a state board to co-operate with the federal board for vocational education in carrying out the provisions of said act, and prescribe its powers and duties; to provide for a plan of co-operation between such state board and the industrial commission of Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 367-8.

Acceptance of  
benefits of fed-  
eral act provid-  
ing for promo-  
tion of voca-  
tional rehabilita-  
tion of persons  
disabled in in-  
dustry, etc.

SECTION 1. The state of Ohio does hereby, through its legislative authority, accept the provisions and benefits of the act of congress, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, and will observe and comply with all requirements of such act.

Sec. 367-9.

Custodian of  
funds.

SECTION 2. The state treasurer is hereby designated and appointed custodian of all moneys received by the state from appropriations made by the congress of the United States for the vocational rehabilitation of persons disabled in industry or otherwise, and is authorized to receive and provide for the proper custody of the same and to make disbursements therefrom upon the order of the state board herein designated.

Sec. 367-10.

Co-operation of  
state board of  
education;  
courses of  
training.

SECTION 3. The board heretofore created as the state board of education to cooperate with the federal board for vocational education in the administration of the provisions of the vocational education act, approved February 23, 1917, is hereby designated as the state board for the purpose of cooperating with the said federal board



in carrying out the provisions and purposes of said federal act providing for the vocational rehabilitation of persons disabled in industry or otherwise and is empowered and directed to cooperate with said federal board in the administration of said act of congress; to prescribe and provide such courses of vocational training as may be necessary for the vocational rehabilitation of persons disabled in industry or otherwise and provide for the supervision of such training; to appoint such assistants as may be necessary to administer this act and said act of congress in this state; to fix the compensation of such assistants and to direct the disbursement and administer the use of all funds provided by the federal government of this state for the vocational rehabilitation of such persons.

Sec. 367-11.

SECTION 4. It shall be the duty of the state board of education and the industrial commission of Ohio to formulate a plan of cooperation in accordance with the provisions of this act and said act of congress, such plan to become effective when approved by the governor of the state.

Formation of  
plan of co-operation;  
approval  
by government.

Sec. 367-12.

SECTION 5. The state board designated to cooperate as aforesaid in the administration of the federal act, is hereby authorized and empowered to receive such gifts and donations, either from public or private sources, as may be offered unconditionally or under such conditions related to the vocational rehabilitation of persons disabled in industry or otherwise as in the judgment of the state board are proper and consistent with the provisions of this act. All the moneys received as gifts or donations shall be deposited in the state treasury and shall constitute a fund to be called the special fund for the vocational rehabilitation of disabled persons, to be used by said board to defray expenses of vocational rehabilitation in special cases, including the payment of necessary expenses of persons undergoing training. A full report of all gifts and donations offered and accepted, together with the names of the donors and the respective amounts contributed by each, and all disbursements therefrom shall be submitted annually to the governor of the state by the state board.

Authority to receive gifts, donations, etc.; where deposited; report.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus Ohio, on the 17th day of May, A. D. 1921.

163 G.

[Amended Senate Bill No. 253.]

## AN ACT.

Providing for granting of badges of honor to the Ohio soldiers and sailors who served in the world war of 1917 and 1918.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 14867-16.

Badges of honor  
for Ohio soldiers  
and sailors in  
the world war.

SECTION 1. The adjutant general of the state of Ohio is hereby authorized and directed to procure and furnish to each officer, enlisted and selective service man, and proper mementoes to the parents or next of kin of those killed in action, or who died while in the service, and who has served under the call of the president of the United States in the world war of 1917 and 1918, the Spanish-American war of 1898-1899, and all surviving soldiers and sailors who served in the army and navy of the United States in the Civil war a badge of honor emblematic of such service, and as a mark of appreciation of the people of Ohio.

Sec. 14867-17.

Distribution of  
badges by ad-  
jutant general.

SECTION 2. The adjutant general of the state of Ohio is hereby authorized and directed to distribute said badges in the manner deemed by him most efficient, to soldiers and sailors honorably discharged from the service of the United States, and such soldiers and sailors as are now in service when any shall apply to the adjutant general of Ohio for one of such badges of honor; and any soldier or sailor now in service who has heretofore received such badge, and who may be thereafter dishonorably discharged shall return said badge forthwith to said adjutant general of Ohio.

Sec. 14867-18.

Not awarded to  
conscientious  
objectors.

SECTION 3. Said badges of honor and gratitude are in no wise to be awarded to conscientious objectors.

Sec. 14867-19.

What design  
shall express;  
selection of  
design.

SECTION 4. Said badges are to be designed so as to express in appropriate form Ohio's sentiment for the service of her sons in the world war, the Spanish-American war and surviving soldiers and sailors of the Civil war. The design shall be selected by a committee of three, consisting of one member appointed by the governor, one member appointed by the president of the Senate and one member appointed by the speaker of the House of Representatives. This committee shall award the contract of manufacturing such badges to the lowest and best bidder and shall receive no compensation for their service.

Sec. 14867-20.

Appropriation.

SECTION 5. There is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund not otherwise appropriated, the sum of seventy-five thousand dollars, or as much thereof as may be necessary to the use of the adjutant general for the purpose of carrying out the provisions of this act.

Sec. 14867-21.

Unlawful wear-  
ing of badge;  
penalty.

SECTION 6. Any person unlawfully wearing such badge shall be guilty of a misdemeanor, and shall be subject to a fine of not more than one hundred dollars.

Sec. 14867-22.

SECTION 7. Mayors, justices of peace, municipal and police court judges shall have final jurisdiction in all cases involving the violation of this act.

Courts having jurisdiction.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
*Attorney General.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

164 G.

[Senate Bill No. 180.]

## AN ACT

Authorizing a board of education in a school district lying adjacent to a school district of another state to enter into an agreement with the school authorities thereof and purchase school grounds, repair or construct school buildings, and maintain a school jointly.

Sec. 7620-1.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That, whenever, in the judgment of a board of education of any school district in this state, lying adjacent to a school district of another state, the best interests of the public schools can be promoted by purchasing school grounds, repairing or erecting a school house or school houses, and maintaining jointly between the two adjacent school districts, the board of education of the school district of this state so situated is hereby empowered to enter into an agreement with the school authorities of said adjacent school district for the purpose of purchasing school grounds, repairing or constructing a school building or buildings, purchasing school furniture, equipment, appliances, fuel, employing teachers and maintaining a school when, in the judgment of said board of education of this state the best interests of the public school can be promoted by so doing; and such board of education of this state is hereby empowered to levy taxes and perform such other duties in maintaining such joint school as are otherwise provided by law for maintaining the public schools in this state.

School district adjacent to one of another state, may agree to construct and maintain a school jointly.

In carrying out the provisions of this act the school district shall pay such proportion of the cost of purchasing school grounds, repairing or erecting a new building or buildings, and in maintaining the joint school as shall seem to be equitable and just in the judgment of the board of

education and trustee or trustees of the two adjacent school districts.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 28, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 17th day of May, A. D. 1921.

165 G.

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[House Bill No. 255.]

## AN ACT

Providing for the appointment of state forester and state fire wardens and for the prevention and suppression of forest fires.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1177-10e.  
State forester.

SECTION 1. The chief of department of forestry of the Ohio agricultural experiment station shall be ex-officio state forester and shall receive no compensation other than his regular salary as a member of the station staff, but shall receive his traveling and other expenses.

Sec. 1177-10f.  
Supervision of wardens.

SECTION 2. The state forester shall have supervision of local wardens, shall instruct them in their duties, enforce the law as to subdistricts, issue such regulations and instructions to the local and subdistrict fire wardens as he may deem necessary for the purposes of this act, and cause violations of the laws regarding forest fires to be prosecuted.

Sec. 1177-10g.  
Appointment of fire wardens; term.

SECTION 3. The state forester shall have power to appoint a local fire warden whose jurisdiction shall extend over such districts as the state forester may determine, subject to the approval of the board of control of the experiment station. Such local fire warden shall hold office for the term of one year, or until his successor shall have been appointed. He may at any time be summarily removed by the state forester. When required by the state forester, such local fire warden shall establish two or more sub-districts in the district for which he is appointed, and appoint a resident of such sub-district deputy fire warden. In the absence of local and deputy fire wardens any township trustee may act as fire warden within the limits of his township.

Sec. 1177-10h.

SECTION 4. Local and deputy fire wardens shall prevent and extinguish forest fires in their respective districts or sub-districts and enforce all laws of this state now in force or that may hereafter be enacted, for the protection of forest and timber land from fire and they shall have control and direction of all persons and operators while engaged in extinguishing forest fires.

Duties of fire wardens.

Any forest fire warden may arrest without warrant any person or persons taken by him in the act of violating any of the said laws for the protection of forest and timber lands and bring such person or persons forthwith before a justice of the peace or other magistrate having jurisdiction who shall proceed without delay to hear, try and determine the matter. The further conduct of any such case shall be entrusted to and be undertaken by the attorney general.

Arrest without warrant by fire warden.

During a season of drought the local fire warden may establish a fire patrol in his district and in case of fire threatening any forest or woodland the local and sub-district fire warden shall attend forthwith and use all necessary means to confine and extinguish such fire. The said fire wardens may destroy fences, plow land or in an emergency set back fires to check any fire.

Fire patrol, when.

They may summon any male resident of the district between the ages of eighteen and fifty years to assist in extinguishing fires and may also require the use of horses and other property needed for such purpose; any person so summoned and who is physically able, who refuses or neglects to assist or to allow the use of horses, wagons or other material requested shall be liable to a penalty of not less than ten dollars and not more than one hundred dollars.

Power to summon assistance.

Sec. 1177-10i.

SECTION 5. Local forest fire wardens and deputy forest fire wardens shall be allowed for their services such remuneration as may be fixed by the board of control of the experiment station. Laborers and owners of all property required by the local forest fire warden or deputy fire warden in the extinguishment of a brush or forest fire shall receive reasonable compensation for labor and material so employed and said board of control shall have power to make a final settlement.

Compensation of wardens and assistants.

Sec. 1177-10j

SECTION 6. The state forester shall have authority to establish and put into effect where needed a system of fire towers and observation stations which shall cover the regions subject to forest fires, purchase the necessary equipment and material and to hire the necessary labor for the installation of the system. When in his discretion, the purpose of this act may be accomplished better by the appointment of watchmen or patrolmen during dry seasons and within regions subject to great fire risk, he shall make such appointments provided that no person shall be appointed watchman or patrolman without first having been appointed a forest fire warden or deputy warden and that wardens who have been proved to be efficient shall be given preference.

Establishment of fire towers and observation stations.

Sec. 1177-10k.

Warden not personally liable.

SECTION 7. A forest fire warden shall not be personally liable for any act required or permitted to be done under the provision of this law while acting within the scope of his duties as fire warden.

Sec. 1177-10l.

Duty of owners.

SECTION 8. Nothing in this act shall be so construed as to relieve the owners or lessees of lands upon which fires may burn or be started, from the duty of extinguishing such fires so far as it may be within their power.

Sec. 1177-10m.

Owner shall not receive compensation.

SECTION 9. No owner or lessee of land upon which fire may burn or be started, nor any person during employment with such owner or lessee, shall receive compensation under this act for extinguishing fire upon his land or the land to which his interest is attached. No person who is responsible for the spreading of a fire to a woodland, forest or wild land nor any person in his employ may receive compensation for helping to extinguish such fire. If any owner or lessee of land shall neglect to extinguish such fires the state forester may provide the necessary means and assistance through the local fire warden and one-half of the costs of such extinguishment shall be borne by said owner or lessee, and shall constitute a lien and be recoverable as a special tax assessed against the property. All moneys thus derived shall be paid into the state treasury to the credit of the general revenue fund.

When owner shall pay part of cost.

Sec. 1177-10n.

Fire shall not be kindled without permission.

SECTION 10. No person shall kindle a fire upon public land without the written permission of the local fire warden, nor on the land of another without the written permission of the owner thereof or his agent.

Sec. 1177-10o.

Kindling and extinguishing fires in woodland.

SECTION 11. No person shall kindle nor authorize another to kindle a fire in his woodland unless all combustible material for the space of twenty feet surrounding the place where said fire is kindled has been removed, nor shall any such fire be left until extinguished or safely covered.

Sec. 1177-10p.

Fires from throwing match, cigar, etc., unlawful; penalty.

SECTION 12. Fires kindled by throwing down a lighted match, cigar or other burning substance shall be deemed within the provisions of sections 10 and 11, and every person violating any provision of said sections shall be fined not more than five hundred dollars or imprisoned not more than six months or both.

Sec. 1177-10q.

Willful setting fire to woods, grounds, etc.; penalty.

SECTION 13. Every person who shall wilfully set fire to any woods, grounds, or prairies, not his property, or maliciously permits fire to pass from his woods, grounds, or prairies to the injury or destruction of another, shall be fined not more than one thousand dollars, or imprisoned not more than six months or both.

Sec. 1177-10r.

Kindling fires outside municipal limits without permission; penalty.

SECTION 14. Every person, except as hereinafter provided, who shall kindle or authorize another to kindle a fire in the open air, outside the limits of any city or village or land controlled by any railroad company, for the purpose of burning brush, weeds, grass or rubbish of any kind, between the first day of March and the first day of June and the tenth day of September and the twenty-fifth day of November in any year, without first obtaining

from the fire warden of the district or sub-district written permission stating when and where such fire may be kindled, shall be fined not more than two hundred dollars or imprisoned not more than six months or both, provided that such permission shall not be required for the kindling of a fire in a plowed field, garden or public highway at a distance of not less than two hundred feet from any woodland, brush land or field containing dry grass or other inflammable material.

Sec. 1177-10s.

SECTION 15. The provisions of the next preceding section shall apply to districts having a regularly appointed fire warden.

Districts to which provisions apply.

Sec. 1177-10t.

SECTION 16. Whenever the state forester shall deem that the public safety of any district or sub-district of this state having a regularly appointed fire warden does not require the protection provided by section 14 of this act, he may cause the local fire warden of any such district to post notices to the effect in conspicuous places, not less than five in each town, or two in each fire district. Whenever such notices have been posted each township or the designated portion thereof so affected shall be exempt from the operation of the provisions of section 14 of this act until the fifteenth day of March the next succeeding year.

When and how township or portion exempt from law.

Sec. 1177-10u.

SECTION 17. In the absence of any fire warden to take control of wild fire it shall not be unlawful for any person to kindle a fire at any time on his own land, public land or the land of another with the consent of the owner or occupant thereof, for the purpose of backfiring to protect property from the threatened and immediate injury of a wild fire.

Condition under which kindling fire not unlawful.

Sec. 1177-10v.

SECTION 18. All moneys received from fines imposed under and by virtue of the provisions of sections 13 and 14 of this act shall be paid to the state treasurer and shall form a part of the general revenue fund.

Application of monies received.

Sec. 1177-10w.

SECTION 19. Any railroad company which through any act of its employes or agents or by sparks from its locomotives or otherwise sets fire to trees, brush or grass on lands outside the right of way of such company shall be liable to the state for the lawful expenses incurred in extinguishing such fire; providing such fires occur in a district having a regularly appointed forest fire warden.

Liability of railroad company.

Sec. 1177-10x.

SECTION 20. It shall be the duty of every section foreman employed by a railroad company upon discovery of any fire in the section under his jurisdiction for which said company is liable, under provisions of section 19 of this act, to summon necessary assistance, proceed to the fire and extinguish it, and to give such assistance to the local or sub-district fire warden as may from time to time be requested by such warden.

Duty of section foreman.

Sec. 1177-10y.

SECTION 21. All steam and electric railroad companies owning or operating lines of railroad within the state shall put into effect such reasonable regulations for the prevention of forest fire as may be deemed necessary

Prevention regulations by railroad companies.

by the state forester, providing such regulations be approved by the state public utilities commission.

Sec. 1177-10z.

Disposition of  
certain fines.

SECTION 22. All moneys received from fines imposed under and by virtue of the provisions of sections 12 and 25 shall be paid to the state treasurer and become a part of the general revenue fund, but the state forester shall pay one-half of the amount collected as a fine to the fire warden or other person upon whose information the proceedings in which such fine was imposed were instituted, but not exceeding fifty dollars in any one case.

Sec. 1177-10aa

Posting notices  
containing state  
laws.

SECTION 23. The local and sub-district fire wardens shall post such notices containing the state laws concerning fires as the state forester may prepare and any person who wilfully or maliciously tears down or destroys any such notice shall be fined twenty-five dollars.

Sec. 1177-10bb.

Action by state  
forester to pre-  
vent and control  
forest fires.

SECTION 24. The state forester may take such action as he may deem necessary to provide for the prevention and control of forest fires in groups of districts and is hereby authorized to enter into an agreement with the secretary of agriculture of the United States under authority of the act of Congress of March, 1911, 36 Stat. 961, or act amendatory or supplementary thereto or others having a similar purpose, for the protection of forested watersheds of navigable streams in this state. Said state forester shall appoint patrolmen who shall receive such compensation as may be determined by the board of control of the experiment station.

Sec. 1177-10cc.

Arrest by pa-  
trolman with-  
out warrant.

SECTION 25. Any patrolman appointed for such purpose by said state forester may arrest without warrant, any person taken by him in the act of violating any of the laws of this state for the protection of forest and timber lands.

Sec. 1177-10dd

Authority to  
declare property  
a public nui-  
sance.

SECTION 26. The state forester shall have authority to declare a public nuisance, any property which by reason of its condition or operation is a special forest fire hazard and as such endangers property. He shall notify the owner of the property or person responsible for the condition declared a public nuisance and advise him as to the abatement or removal of such nuisance. In the case of a railroad such notice shall be served upon the superintendent of the division upon which the nuisance exists. If the owner of the property on which the nuisance exists after thirty day's notice refuses or neglects to take action to abate or remove such nuisance, the state forester shall cause the same to be removed or abated and the costs of such action shall constitute a lien and shall be recoverable as a special tax assessed against the property. All money thus derived shall be paid into the state treasury to the credit of the general revenue fund. He shall collect and arrange information obtained concerning violation of laws relating to the protection of forests from fires and present same to the board of control of the experiment station, who shall file it with the attorney general for legal action.



SECTION 27. The disbursements of the state forester in carrying out the purposes of this act shall be paid by the state from the appropriation for fire wardens.

Disbursements paid from appropriation.

SECTION 28. There is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund and not otherwise appropriated the sum of ten thousand dollars to carry out the provisions of this act.

Appropriation.

SECTION 29. The sum of fifty thousand dollars is hereby appropriated out of any moneys in the state treasury to the credit of the general revenue fund and not otherwise appropriated for the purchase of state forest lands, as provided in section 1177-10a of the General Code.

Appropriation for purchase of state forest lands.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

166 G.

[House Bill No. 266.]

## AN ACT

To provide state supervisory control of public water supplies and to empower the state department of health to require improvement of unsatisfactory water supply and water works systems.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1252-1.

SECTION 1. The state department of health shall exercise general supervision of the operation and maintenance of the public water supply and water works systems throughout the state. For the purposes of this act a public water supply and water works system shall include any such system publicly or privately owned which is of a public or quasi-public nature installed for a municipality or part thereof, an unincorporated community, a county sewer district or other land outside a municipality, a state, county, district or municipal public institution, a privately owned institution, university, college, seminary or school, club, church, factory or other place of employment, or other public, quasi-public or privately owned institution, building or place used for the assemblage or employment of persons. Such general supervision shall include all features of construction, operation and maintenance of systems for supply, treatment, storage

Supervisory control of public water supplies by state department of health.

Investigation of  
water supplies;  
orders and  
regulations.

and distribution, which do or may affect the sanitary quality of the water supply. For the purpose of exercising such general supervision the state department of health shall investigate the public water supplies throughout the state as frequently as is deemed necessary by the department, and whenever requested to do so by the local health officials; and may adopt and enforce orders and regulations governing the construction, operation and maintenance of such public water supply and water works systems, and may require the submission of records of construction, operation and maintenance including plans and descriptions of existing works. When the state department of health shall have required the submission of such records or information the public officials or person, firm or corporation having the works in charge shall promptly comply with such request.

Sec. 1252-2.

Analyses of  
water required  
at intervals;  
records.

SECTION 2. For the purpose of controlling the sanitary quality of public water supplies, every city, village or other subdivision or district, public institution, or person, firm or corporation owning or operating a public water supply or water works system shall have analyses of the water made at such intervals and in such manner as may be ordered by the state department of health; and records of the results of such analyses shall be maintained and reported as required by the said department.

Sec. 1252-3.

Connection with  
private auxiliary  
or emergency  
water supply,  
prohibited.

SECTION 3. It shall be unlawful for any official, officer, or employe having in charge or being employed in the maintenance and operation of a public water supply and water works system or for any other person, firm or corporation to establish or permit to be established any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply may enter the supply or distributing system, unless such private, auxiliary or emergency water supply, and the method of connection and use of such supply shall have been approved by the state department of health.

Sec. 1252-4.

Notice when  
danger of con-  
tamination or  
inadequate sup-  
ply; Investiga-  
tion.

SECTION 4. When the commissioner of health finds upon investigation that a public water supply is subject to the danger of contamination by reason of unsatisfactory location, protection, construction, operation, or maintenance of the system, or by reason of the existence of an unsafe emergency supply or connection to an unsafe private or auxiliary supply, or if the commissioner of health finds upon investigation that the public health is endangered by reason of the existence of an inadequate public water supply or water works system, he shall notify the city, village, county, public institution, corporation, partnership or person owning or operating such public water supply or water works system of his findings and of the time and place, when and where a hearing may be had before the public health council. Such notice shall be by personal service, or shall be sent by registered letter to the mayor or managing officer or officers of the city, village, county or public institution or to the corpora-

tion, partnership or person owning or operating such supply. Investigations made in accordance with this section may be at the initiative of the commissioner of health.

Sec. 1252-5.

SECTION 5. After such hearing, if the public health council shall determine that improvements or changes are necessary and should be made, the commissioner of health shall notify the mayor or managing officer or officers of the city, village, county, or public institution or the corporation, partnership or person owning or operating such water supply or water works system to make improvements, corrections and changes in the location, protection, construction, operation or maintenance of the water supply or water works system satisfactory to the commissioner of health, so as to prevent the contamination of the water supply or to provide a water supply not subject to the danger of contamination, or to provide a water supply and water works system adequate to avoid endangering the public health. The order of the commissioner of health and the time fixed for making the improvements or changes shall be approved by the public health council and the notification shall be made by personal service upon or by registered letter to the mayor or managing officer or officers of the city, village, county or public institution or to the officials, corporation, partnership or person to whom said order shall apply. When such order is issued subsequent procedures shall be in accordance with and governed by the provisions of sections 1257, 1258, 1258-1, 1258-2, 1258-3, 1258-4, 1258-5, 1258-6, 1258-7, 1258-8, 1259, 1259-1, 1260 and 1261 of the General Code.

Corrections and changes may be ordered; notice; procedure.

Sec. 1252-6.

SECTION 6. Whoever violates any of the provisions of sections 1, 2 or 3 of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding five hundred dollars (\$500).

Penalty for violation of law.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

167-G.

[House Bill No. 257.]

## AN ACT

To authorize the creation of municipal, township or county forests and to provide for a levy of a tax therefor.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 5650-1.

Authority to  
create, county,  
township or mu-  
nicipal forests;  
tax levy.

SECTION 1. The governing body of any municipality, township or county of this state shall have power to accept donations of land suitable for the growth of timber which shall be known as municipal, townships, or county forests, and may manage the same on forestry principles. The governing body of any municipality, township or county in this state where funds are available or have been levied therefor may, when authorized by a majority vote of the electorate voting at any general election, purchase or obtain by condemnation proceedings, any tract of land suitable for a forest which is conveniently located for the purpose, and under the direction of the state forester shall manage the same on forestry principles. Such municipality, township or county is authorized to levy and collect an annual tax of not exceeding three mills on the dollar of its assessed real estate valuation in addition to all other taxes authorized or permitted by law to procure and maintain such forests.

The sectional  
number on the  
margin hereof is  
designated as  
provided by law.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

168-G.

[House Bill No. 256.]

## AN ACT

Providing for the establishment of a state forest nursery.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1177-10d.

Establishment of  
state forest  
nursery.

SECTION 1. The board of control of the Ohio agricultural experiment station is hereby empowered to acquire in the name of the state suitable land and maintain the same as a state forest nursery. They shall raise seedling trees of useful species for planting and shall on terms approved by the board distribute said seedling trees to persons who desire to plant them within the state.

SECTION 2. There is hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund and not otherwise appropriated the sum of ten thousand dollars to carry out the provisions of this act.

Appropriation.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

169 G.

[Re-Amended Substitute Senate Bill No. 105.]

## AN ACT

Providing for the licensing of ice cream plants and defining and regulating the sale of ice cream.

Sec. 12730-1.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. For the purposes of this act the various forms of ice cream as a commercial product in this state are hereby defined as follows.

Licensing ice cream plants and defining and regulating the sale of ice cream.

(a) Ice cream is a frozen product made from pure, wholesome, sweet unneutralized cream and sugar with or without wholesome, harmless flavoring, and if desired the addition of pure wholesome milk solids and not to exceed one-half of one per cent by weight of harmless thickener or stabilizer and containing not less than eight per cent by weight of milk fat. The acidity shall not exceed three-tenths of one per cent and it shall not weigh less than four and one-fourth pounds per gallon.

(b) Fruit ice cream is a frozen product made from pure, wholesome, sweet cream and sugar and fruit mixture, and if desired the addition of pure wholesome milk solids and not to exceed one-half of one per cent, by weight, of harmless thickener or stabilizer and containing not less than eight per cent, by weight, of milk fat.

(c) Nut ice cream is a frozen product made from pure, wholesome, sweet cream, sugar and sound, non-rancid nuts, and if desired the addition of pure wholesome solids and not to exceed one-half of one per cent, by weight, of harmless thickener or stabilizer and containing not less than eight per cent, by weight, of milk fat.

(d) Egg ice cream is a frozen product made from pure, wholesome, sweet cream, sugar and fresh, wholesome

eggs, and if desired the addition of pure wholesome milk solids and not to exceed one-half of one per cent, by weight, of harmless thickener or stabilizer and containing not less than eight per cent, by weight, of milk fat.

**Sec. 12730-2**

Product upon which the name ice cream may not be used.

SECTION 2. The word ice cream, or a combination or association of the word ice cream, shall not be used as a name or a part of a name of any imitation or substitute for cream or milk or skim-milk mixture, of less than eight per cent of milk fats in ice cream, and eight per cent milk fats in fruit, nut or egg ice cream, in any hotel, restaurant, or place where ice cream is sold, delivered or served.

**Sec. 12730-3.**

License must first be obtained before manufacture.

SECTION 3. No person, firm or corporation, shall be engaged in the business of operating a commercial ice cream plant without first obtaining a license for the operation of such a factory from the secretary of agriculture. Application for such license shall be made to the secretary of agriculture in such manner as he may prescribe and shall be accompanied by a fee of one dollar and fifty cents (\$1.50) for each gallon capacity of the freezer or freezers used. The secretary of agriculture shall thereupon cause an investigation to be made and if it be found that the applicant is supplied with the facilities necessary to operate a sanitary ice cream plant, and the plant is in a sanitary condition, the secretary of agriculture shall cause a license to be issued which shall be in effect for one year and may be renewed upon the same conditions and payment of the same fee, annually thereafter.

**Sec. 12730-4.**

Suspension of license; notice of hearing.

SECTION 4. The secretary of agriculture may suspend any such license temporarily for failure to comply with the provisions of this act, or any regulations or order made by him hereunder, and shall have the power finally to revoke the same for such cause. Before any such suspension or revocation of a license is made, the secretary of agriculture shall give written notice to the licensee that he contemplates the suspension or revocation of the same and giving his reasons therefor. Such notice shall appoint a time for hearing before said secretary of agriculture and may be sent by registered mail to the licensee. On the day of the hearing, the licensee may present such evidence as he desires, and after hearing the evidence, the secretary of agriculture shall decide the matter in such manner as to him appears just and right.

**Sec. 12730-5.**

Appeal by licensee to board of agriculture.

SECTION 5. A licensee shall have the right to appeal to the board of agriculture from any such decision of the secretary of agriculture suspending or revoking his license, within three days from the time of receiving notification of such suspension or revocation, and such appeal shall stay the enforcement of such suspension or revocation until the decision of the board of agriculture. The board of agriculture shall fix a time for hearing such appeal and give such licensee opportunity to be heard and to produce evidence, and after hearing such evidence, the board of

agriculture shall either affirm or disaffirm or modify such decision of the secretary of agriculture.

Sec. 12730-6.

SECTION 6. Whoever, sells, exchanges, delivers, or has in his custody or possession with intent to sell, exchange or deliver, ice cream not made in accordance with the provisions of section one of this act, or, whoever, engages in the operation of a commercial ice cream plant without first obtaining a license from the secretary of agriculture shall be fined not less than fifty dollars nor more than two hundred dollars, and for the second offense shall be fined not less than one hundred dollars nor more than five hundred dollars.

Operation in violation of law; penalty.

Sec. 12730-7.

SECTION 7. For the purpose of this act, a commercial ice cream plant is hereby defined as a place or building in which ice cream is manufactured for the purpose of being placed on the open market for general consumption as human food, in hotels, restaurants, ice cream parlors, or amusement places, by wholesale and retail dealers, but does not include ice cream manufactured in private homes, clubs or any gathering of a co-operative, social nature.

"Commercial ice cream plant" defined.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

170 G.

[Amended Senate Bill No. 73.]

## AN ACT

Relative to the construction or improvement of joint county ditches, and to declare an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 6535-1.

SECTION 1. All proceedings for the construction or improvement of a joint county ditch commenced under the provisions of sections 6563-1 to 6563-48 inclusive of the General Code prior to July 11, 1919, as such sections were in effect on such date, are hereby declared and held to be valid, and boards of county commissioners or other officers shall have full power and authority to proceed with the construction or improvement under such sec-

Prior proceedings are valid; construction to be completed.

tions, or contemplated by any petition filed or granted under such sections, and shall also have full power and authority to levy taxes and assessments and to sell bonds to pay for the construction of such ditch, and do all things contemplated by such petition under such sections of the General Code, as they were in effect prior to July 11, 1919, except that all bonds issued and sold in connection with the construction or improvement of such ditch may bear a rate of interest not to exceed six per cent.

Sec. 6535-2.

Emergency act.

SECTION 2. This act is hereby declared to be an emergency act necessary for the immediate preservation of the public peace and safety. The emergency necessitating the enactment of this act arises out of the fact that improvements involving large expenditure of money are awaiting the sale of bonds to raise funds to pay for such improvements commenced, and for which large investment has been paid out, which are delayed until bonds can be sold. At present time five per cent bonds can not be sold at the rate fixed by law, thus necessitating the placing on the market a six per cent bond. The season of the year is at hand for such construction and delay will postpone work for a year to detriment and damage of property, health, public peace and safety, from overflows of water damaging lands that can and should be drained.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

171 G.

[Amended Senate Bill No. 66.]

## AN ACT

To authorize the secretary of agriculture to acquire lands for the purpose of game propagation; reforestation for public hunting grounds. Also to acquire fish hatchery sites and to make the necessary regulations governing such territory.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1435-1.

Acquisition of lands for hunting grounds.

SECTION 1. The secretary of agriculture shall be empowered to acquire by gift, lease or purchase suitable lands, or surface rights upon suitable lands, for the purpose of establishing thereon public hunting grounds and reforestation with the recommendation of the chief of the



fish and game division he shall be empowered to set aside any portion of said public hunting grounds as a state game refuge. Upon recommendation of the chief of the fish and game division, the secretary of agriculture, in accordance with the laws of Ohio, may make such regulations for the taking of birds, fish or game upon either a public hunting territory or upon a state game refuge established on or within said public hunting grounds as he may deem advisable; but such regulations shall apply to the aforesaid public hunting grounds or to the aforesaid state game refuge territory only and to no other section or part of the state. At least ten days before such regulations shall take effect a copy of the same shall be filed in the office of the clerk of township or townships to which they apply. The secretary of agriculture may also acquire by gift, lease or purchase suitable land for the purpose of establishing state fish hatcheries and may erect thereon such buildings or structures as he shall deem necessary.

Regulations for taking fish, game, etc.; filing of copy.

The title or lease to any and all such lands shall be taken by the secretary of agriculture in the name of the state of Ohio, and when so acquired the entire supervision of such lands shall be under the direction of the chief of the fish and game division. The lease or purchase price of any and all such lands shall be paid for from hunters' and trappers' license funds.

How title to lands shall be taken; payment for.

Sec. 1435-2.

SECTION 2. When in the opinion of the secretary it is necessary to procure lands, or surface rights upon lands, for the purpose of reforesting or establishing thereon public hunting grounds or fish hatcheries, and the secretary of agriculture and the owner or owners of said lands are unable to agree upon their purchase and sale, the secretary of agriculture shall make and subscribe a certificate containing the following:

Procedure in appropriation of lands.

1. A full description of the property, the name of the owner or owners, the estate or interest therein desired to be appropriated, and a declaration of intention to appropriate such property for the state.

2. The amount of money which the secretary of agriculture deems just and will pay as compensation for the property sought to be appropriated.

Sec. 1435-3.

Section 3. A copy of such certificate shall be delivered to each owner of the property to be appropriated, or left at his usual place of residence within this state. If such owner is a minor, idiot, feeble-minded or insane person, such certificate may be delivered to his guardian. If the owner or guardian is not a resident of the state or his place of business is unknown notice may be given him by the publication of the certificate for four consecutive weeks in a newspaper of general circulation in the county in which the property is situated. The original certificate with the date and proof of service of a copy thereof shall be filed in the office of the secretary of agriculture. If the appropriation is made the secretary of agriculture shall endorse upon a copy of the certificate the words "appro-

Copy of certificate delivered to owner; notice; filing.

priation made" and the date when made and file it with the recorder of the county in which the property is situated. Thereupon the recorder shall record it with the endorsements thereon in the land records of the county.

Sec. 1435-4.

Payment of costs and compensation.

SECTION 4. Thereupon such other and further proceedings shall be made by the secretary of agriculture as are provided in sections 444 to 451 inclusive, of the General Code, for the appropriation of property by the superintendent of public works. Payment of the costs and the compensation awarded each property owner shall be made from any moneys in the state treasury to the credit of the hunters' and trappers' license funds.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

172 G.

[House Bill No. 173.]

## AN ACT

To establish a police court in the city of Warren, Trumbull county, Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 14721.

Police court established in city of Warren.

SECTION 1. That there shall be, and is hereby established in the city of Warren, Trumbull county, Ohio, a police court held by a judge, which court shall be styled the police court and be a court of record, and shall have jurisdiction of any offense under any ordinance of the said city of Warren, and of any misdemeanor committed within the limits of said city, to hear and finally determine the same and impose the prescribed penalty; but cases in which the accused is entitled to a trial by a jury, shall be so tried unless a jury be waived in writing by the accused.

Sec. 14722.

Jurisdiction in felonies.

SECTION 2. In felonies committed within the county the court shall have the power to hear the case and discharge, recognize or commit and if upon such hearing the court is of the opinion that the offense is only a misdemeanor and that the court may ascertain jurisdiction of it under the last section a plea of guilty of such misdemeanor may be received and sentence and judgment pronounced.

- Sec. 14723. SECTION 3. The court shall have power to issue process, preserve order and punish contempts, summon and impanel jurors, grant new trials and motions in arrest of judgment, suspend execution of sentence upon notice of intention to apply for leave to file a petition in error, and such other powers as may be necessary for the exercise of the jurisdiction herein conferred, and the enforcement of the judgments and orders of the court. Power to issue process, etc.
- Sec. 14724. SECTION 4. Prosecution for offense against the laws of the state shall be brought and conducted in the name of the state and prosecutions for violations of city ordinances shall be brought and conducted in the name of the city of Warren, and in any case a new trial may be granted and for the same cause as in like cases in the court of common pleas. Prosecution of offenses against state laws, and city ordinances.
- Sec. 14725. SECTION 5. The court shall have power to compel the attendance of witnesses, jurors and parties; jurors shall have the qualifications and be subject to the challenges of those in court of common pleas in like cases; they shall be selected, summoned and impaneled in accordance with an ordinance of the council; or if no such ordinance is in force, in accordance with a rule of the court and they shall receive the same fees as are allowed jurors and witnesses in courts of the justice of the peace; other fees shall be the same as before the justice of the peace in like cases. Power to produce evidence, etc.
- Sec. 14726. SECTION 6. The police court shall always be open for the transaction of business, but may adjourn from day to day or from time to time and shall be considered as holding monthly terms, each commencing on the first Monday of the month. When court shall be open.
- Sec. 14727. SECTION 7. The judge shall adopt such rules of practice and procedure as will give each party a proper statement of any charge against him and a full opportunity of being heard. Practice and procedure.
- Sec. 14728. SECTION 8. The judge shall be elected by the electors of the city of Warren at the regular fall election in November for a term of four (4) years; commencing on the first day of January next after his election. He shall be an elector of the city, and an attorney and counsellor at law, duly admitted and licensed to practice law in this state. Election of judge; qualification, term, vacancy.
- Any vacancy caused in said office by reason of death, removal, resignation or otherwise, shall be filled by the governor until a successor is elected and qualified, and such successor shall be elected for the unexpired term at the first municipal election that occurs more than thirty days after the vacancy shall have happened.
- Sec. 14729. SECTION 9. The bond and compensation of said judge shall be fixed by the council. Bond and compensation.

Sec. 14730.  
Prosecuting  
attorney.

SECTION 10. The city solicitor of the city of Warren, Ohio, shall be the prosecuting attorney of said court.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

The sectional  
numbers on the  
margin hereof  
are designated as  
provided by law.  
JOHN G. PRICE,  
*Attorney  
General.*

Passed April 26, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

173 G.

[Amended Senate Bill No. 3.]

## AN ACT

To prevent traffic in stolen cars, require registration and bill of sale to be given in event of sale or change in ownership of motor vehicles.

Sec. 6310-3.

"Motor vehicle"  
defined.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the term "motor vehicle" as used in this act shall include only such newly manufactured vehicles as come within the definition of amended section 6290 of the General Code of Ohio sold or distributed by the manufacturer or dealer or other person after the passage of this act, and does not include "used motor vehicles."

"Used motor ve-  
hicle" defined.

The term "used motor vehicle", for the purposes of this act, is defined to mean a motor vehicle which has been sold, bargained, exchanged, given away by, or title transferred from, the person who first took title to it from the manufacturer or importer, or the agent of the manufacturer or importer, and is to include all motor vehicles which have been in use in such manner previous to the passage of this act, as to have become what are now or may hereafter be commonly known among manufacturers or dealers as "second-hand" motor vehicles.

"Person"  
defined.

The term "person" as used in this act, shall include the singular and plural numbers, and shall embrace all individuals of either sex, whether acting on their own behalf or as members, officers, employees, agents, or other representatives of any other individual or of any firm, co-partnership, corporation, association, or artificial body, of any kind or character whatsoever.

"Manufacturer's  
number"  
defined.

The term "manufacturer's number" shall mean the manufacturer's original number affixed to or imprinted upon the chassis or other parts of the motor vehicle frame or engine of any motor vehicle.

The term "bill of sale" as used in this act shall mean the bill of sale or paper of conveyance issued by the corporation, partnership, association, or person, selling, giving away, transferring, conveying or passing title to a motor vehicle or "used motor vehicle."

"Bill of sale" defined.

Sec. 6310-4.

SECTION 2. It shall be unlawful to sell, convey, give away, transfer, exchange, receive, purchase or obtain any "motor vehicle" or "used motor vehicle" within this state, except in the manner and subject to the conditions hereinafter provided.

Unlawful disposition of motor vehicle.

Sec. 6310-5.

SECTION 3. It shall be unlawful for a corporation, partnership, association, or person, the manufacturer of motor vehicles or the importer of motor vehicles, to sell, convey, lease, give away, transfer or exchange a motor vehicle, directly or through an agent or agency of such manufacturer or importer, or other person, unless such manufacturer, corporation, partnership, association, person or importer or the agent of either, shall, at or before such sale, conveyance, transfer, lease, gift, exchange or passage of title, execute, in the presence of two witnesses, a bill of sale in duplicate, and deliver both copies to the purchaser, buyer, transferee, or person receiving such motor vehicle. Such bill of sale shall contain the name of the manufacturer or maker, the manufacturer's number, the engine or motor number, as well as any other numbers thereon, and the horse-power of such motor vehicle with a general description of the body thereto, the name and residence address of the purchaser, buyer, lessee, transferee, or person receiving such motor vehicle, together with a full account of any other number or marks on appliances attached thereto, which may identify or tend to identify such motor vehicle. If such motor vehicle was imported, the bill of sale, in addition to the above requirements, shall contain the name of the importer and the name of the city and country where such manufacturer is situate, the name of the port of exportation and the name of the port of importation, the name of the manufacturer or maker, manufacturer's number, the engine or motor number and the horse-power of such motor vehicle, the name and address of the original purchaser, buyer, transferee, or person receiving such motor vehicle from the manufacturer, together with a full account of any other number or marks thereon, which may identify or tend to identify such motor vehicle.

Bill of sale in duplicate required.

What bill of sale shall contain.

Sec. 6310-6.

SECTION 4. Each buyer, purchaser, transferee or person receiving or obtaining a "motor vehicle" shall obtain from the manufacturer, or such manufacturer's agent, or the importer of such "motor vehicle", at or before such sale, conveyance or delivery, the bill of sale and duplicate as provided for in section 3 of this act, and verified as provided in section 7 of this act.

Purchaser shall obtain bill of sale in duplicate.

Sec. 6310-7.

SECTION 5. Each corporation, partnership, association or person, in all sales, conveyances, transfers, gifts, exchanges of, or transactions in which title to a "used

Bill of sale in duplicate in disposition of "used motor vehicle."

What bill of  
sale shall  
contain.

motor vehicle" passes, shall execute in the presence of two witnesses a bill of sale, in duplicate, and deliver the same to the corporation, partnership, association or person purchasing, receiving or obtaining such "used motor vehicle", at or before such sale, conveyance, transfer, gift, exchange or passage of title; such bill of sale shall contain the name or names and residence or residences of each and every bona fide owner or owners of such used motor vehicle, beginning with the original or first purchaser of such used motor vehicle from the manufacturer or importer, or the direct agent or agents of either, and a record of each subsequent transaction, involving such used motor vehicle, down to the last owner, owners, or transferee from whom the corporation, partnership, association or person selling, conveying, giving away or transferring derived title thereto; the residence or residences, so stated, shall be by city, village, township, county and state, together with the street and number or postoffice address, if any, of such former owner or owners, or, if there be no such addresses, then by such description, designation, or information as may reasonably fix the place or places, residence or residences, of such former owner or owners, or the place where he may be found, with his occupation and place of business or employment, if employed by any other person or persons, and the name of such employer, and shall contain also the date and place and where the ownership of the said motor vehicle by the corporation, partnership, association or person selling, conveying, giving away or transferring the same began, and whether he, acquired title thereto by purchase from such last owner or owners, or in what manner such title was acquired, and a statement of any and all changes and alterations in the finish, design or appearance of the said used motor vehicle which had been made within the knowledge of the person making the statement.

Sec. 6310-8.

Purchaser shall  
obtain bill of  
sale in duplicate.

SECTION 6. Each buyer, purchaser, transferee or person receiving or obtaining a "used motor vehicle" shall obtain from the owner, vendor, or person conveying or transferring such "used motor vehicle," at or before such sale, transfer, conveyance or delivery, the bill of sale in duplicate, as provided for in section 5 of this act and verified as provided for in section 7 of this act.

Sec. 6310-9.

Verification of  
bill of sale be-  
fore delivery.

SECTION 7. Each bill of sale shall be duly verified by the seller or other person as defined in section 1 of this act, before a notary public, or other person authorized by law to administer oaths, before the delivery of either, to the corporation, partnership, association or person buying, receiving or obtaining title to such motor vehicle or "used motor vehicle," by the oath or affirmation of the manufacturer, importer, corporation, partnership, association or person selling, transferring, conveying, giving away or passing title, or by the duly authorized agent of such manufacturer, importer, corporation, partnership, association or person. Any bill of sale not verified before

delivery as hereinbefore provided shall be null and void and of no effect in law.

Sec. 6310-10.

SECTION 8. Each corporation, partnership, association or person to whom title has in any manner been passed to a motor vehicle or a "used motor vehicle" shall file one of the copies of the duplicate bill of sale with the clerk of courts of the county in which the sale, transfer, conveyance, gift or passage of title is consummated within three days immediately thereafter. It shall be the duty of the clerk of courts to refuse to accept for filing the duplicate bill of sale if such instrument is not executed and witnessed according to the provisions of this act.

One copy of bill of sale filed with clerk of courts.

The clerk of courts shall, at the time of the filing of such duplicate bill of sale, or assignment thereof, affix his official seal and the date of the filing upon each instrument, and make an alphabetical index of the grantors and grantees thereof. Any instrument purporting to be a bill of sale, which does not bear the official seal of the clerk of courts of the county where the sale, gift, transfer, conveyance or passage of title took place shall be null and void. The clerk of courts of each county shall charge a fee of twenty-five cents for filing each duplicate bill of sale and the same fee shall be charged for the filing and indexing of each assignment of any such bill of sale.

Seal and date of filing shall be affixed; fee.

Sec. 6310-11.

SECTION 9. In all sales, conveyances, transfers, gifts, exchanges or transactions in which the title to a "used motor vehicle" passes, the original "bill of sale" executed by the manufacturer or importer, or the agent or agents of either, shall be assigned by the seller, conveyor, transferrer or person giving away or passing title to such "used motor vehicle," to the purchaser, transferee, recipient or person obtaining title thereto; such assignment must be in writing, and witnessed by two persons and acknowledged by the seller, conveyor, transferer, person giving or passing title to such "used motor vehicle," before a notary public or other person authorized by law to take acknowledgments of conveyances. All such assignments shall at all times be kept and attached to the original bill of sale, provided, that in the event the said "used motor vehicle" was purchased from the manufacturer, importer or the agent or agents of either, prior to this act becoming effective, then a bill of sale, in duplicate, as required by sections 5 and 8 of this act, shall be executed and delivered by the seller, conveyor, transferer, person giving or passing title to such used motor vehicle.

Assignment of bill of sale.

Assignments attached to original bill.

Sec. 6310-12.

SECTION 10. It shall be unlawful for any corporation, partnership, association or person, whether the manufacturer, importer, or agent of either, or the owner, holder, or person in possession of a motor vehicle or "used motor vehicle," conveying, transferring, delivering, giving away, selling, passing title to or attempting to pass title to such motor vehicle or "used motor vehicle," to misrepresent, in the "bill of sale" or "assignment" as required by this act, the name or names, and place or places of

Misrepresentation in bill of sale or assignment unlawful.

residence or business of the corporation, partnership, association or person executing and delivering such "bill of sale" or "assignment" or to forge, change or counterfeit any part thereof or to misrepresent therein the number or numbers placed upon such motor vehicle or "used motor vehicle" by the manufacturer or otherwise misrepresent the description of the same, or to misrepresent or falsify the name or address of the corporation, partnership, association or person, purchasing, obtaining, or receiving such motor vehicle or "used motor vehicle."

Sec. 6310-13.

Operation without having bill of sale or copy filed with clerk of courts, unlawful.

SECTION 11. No person residing in this state shall drive, use or operate, a motor vehicle or "used motor vehicle" upon the public highways thereof, without having a "bill of sale" for the motor vehicle as defined in this act, or without having first filed, with the clerk of courts, of the county in which his residence is established, a sworn statement containing the name, residence of each and every bona fide owner or owners of the "used motor vehicle," the name of the manufacturer or make, the manufacturer's number, the engine or motor number, as well as any other numbers thereon, the horse power of such "used motor vehicle," and a general description of the body thereof, and obtain from said clerk, a certified copy of such statement.

Sec. 6310-14.

Penalties for violation of law.

SECTION 12. Whoever violates any of the provisions of sections 3, 4, 5 or 6 of this act, shall upon conviction, be subject to a fine of not less than twenty-five dollars nor more than one thousand dollars; for a violation of section 7 of this act, the person or persons so convicted shall be fined not less than twenty-five dollars nor more than one thousand dollars; for a violation of section 8 of this act, the person or persons so convicted shall be fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not less than one month, nor more than one year, or both; for a violation of section 9 of this act, the person or persons so convicted shall be subject to a fine of not less than twenty-five dollars and not more than one hundred dollars, or imprisoned not less than one month, nor more than one year, or both; for a violation of section 10 of this act, the person or persons so convicted shall be subject to a fine of not less than one hundred dollars, and not more than one thousand dollars, or to imprisonment in the Ohio penitentiary for not more than five years, or both; for a violation of section 11 of this act, the person or persons so convicted shall be subject to a fine of not less than twenty-five dollars and not more than three hundred dollars for each and every violation.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUFERT BETHAM,

*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
*Attorney General.*



[House Bill No. 162.]

## AN ACT

Providing for the improvement of park boulevards lying within or adjacent to municipalities other than that to which the same belongs.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 3852-4.

SECTION 1. Whenever a park boulevard extends from a municipality to which it belongs into or adjacent to one or more other municipalities and it is desired by the several municipalities so situated to improve said boulevard by grading, draining, curbing, paving or repaving, surfacing or resurfacing, or otherwise improving said boulevard, it shall be lawful for the several municipalities so interested in said boulevard to apportion the cost of such improvement between the municipalities so interested in such manner as the councils of the several municipalities may agree upon, and the amount so agreed upon to be borne by each municipality may be defrayed out of the general fund of such municipalities, or by the issue of bonds, provided, however, that where such boulevard adjoins private property abutting thereon, and benefited thereby such private property may be assessed a portion of the cost of such improvement by the municipality in which such property is situated in the same manner and to the same extent and subject to the same limitations as is provided for the levying and collection of special assessments for street improvements.

Improvement of park boulevards lying within or adjacent to municipality; apportionment of costs and expenses; issue of bonds.

Sec. 3852-5.

SECTION 2. In the event that a part of the cost of such improvement is to be specially assessed upon the abutting property the municipality in which such property is situated may issue bonds in anticipation of the collection of such assessments in the same manner in which bonds are authorized to be issued and sold in anticipation of the collection of special assessments for the improvement of streets and highways.

Bond issue in anticipation of assessments.

Sec. 3852-6.

SECTION 3. That the amount so agreed to be paid by the municipalities in which or adjacent to which said park boulevard may be situated shall be paid to the treasurer of the municipality owning such park boulevard and the contract shall be let by and the work shall be done under the supervision of said municipality so owning said park boulevard in the same manner as is provided by law for the letting and execution of contracts for the improvement of streets in such municipality.

Contract and supervision of work.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 26, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

[House Bill No. 33.]

## AN ACT

To prohibit the creation or incurring of indebtedness of political subdivisions of the state for current expense, to regulate the maturities of such indebtedness, to further regulate the maximum indebtedness of such political subdivisions, to provide for the issuance of serial bonds and otherwise further regulate such indebtedness and in furtherance thereof, to amend sections 3913, 3916, 5656, 3925, 5657, 3914, 3914-1, 3941, 3948, 3949, 7630-1, 2976-26, 7614, 4506, 4513, 4517 and 5649-1, to supplement section 3948 by the enactment of supplemental section 3948-1, and to repeal sections 3915, 3952, 3954-1, 7613, 3931 and 4520 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 2295-6.

Definition of  
terms used.

SECTION 1. Definitions—The following definitions shall be applied to the terms used in this act:

(a) "Political subdivision" shall mean any political subdivision or taxing district of the state incurring indebtedness or issuing bonds on the general credit of the political subdivision or taxing district;

(b) "Charter municipality" shall mean any municipality which at the time of incurring any indebtedness or issuing any bonds is operating under a charter framed and adopted under the provisions of Article XVIII of the constitution of Ohio;

(c) "Fiscal officer," in the case of a county, shall be the county auditor; in the case of a charter municipality, such officer as by virtue of the charter has the duties and functions provided in section 4284 of the General Code of Ohio; in the case of any other city, the city auditor, and of any other village, the village clerk; in the case of a school district, the clerk of the board of education; in the case of a township, the auditor of the county in which such township is located; in the case of any other political subdivision, the officer who by law performs the duties and functions similar to those of a city auditor;

(d) "Serial bonds" are those which provide for the retirement of the indebtedness by means of installment maturities in lieu of a sinking fund;

(e) The "bond-issuing authority" shall, in the case of any bond issue, be the county commissioners, board of education, township trustees, city council or other board or officer who, under the provisions of law or charter, has the function of determining upon the issuance of such bonds.

Sec. 2295-7.

Subdivisions  
shall not incur  
indebtedness for  
current operating  
expenses.

SECTION 2. No county, school district, township, municipality, including charter municipalities, or other political subdivision shall, with the exceptions hereinafter named, create or incur any indebtedness for current operating expense. The acquisition or construction of any property, asset or improvement with an estimated life or usefulness of less than five years shall be deemed current expense. This prohibition shall not apply to

borrowing as provided by law in anticipation of collection of special assessments or in anticipation of special assessments or current revenues or for defraying the expenses of an extraordinary epidemic of disease or emergency expenses made necessary by sudden casualty which could not have reasonably been foreseen or for deficiencies created by enjoined taxes as provided in section 5659-1 of the General Code or for paying final judgments upon non-contractual obligations as provided in section 4 thereof. The estimate of the life of the property, asset or improvement proposed to be acquired or constructed from the proceeds of any bonds, shall be made in any case by the fiscal officer of the subdivision and certified by him to the bond-issuing authority and shall be binding upon such authority.

SECTION 3. That section 3913 of the General Code be and the same is hereby amended to read as follows:

Sec. 3913. In anticipation of the collection of current revenues in any fiscal year, such corporations may borrow money and issue certificates of indebtedness therefor, signed as municipal bonds are signed, but no loans shall be made to exceed the amount estimated to be actually received from taxes and other current revenues for such fiscal year, after deducting all advances. The sums so anticipated shall be deemed appropriated for the payment of such certificates at maturity. The certificates shall not run for a longer period than six months, nor bear a greater rate of interest than six per cent, and shall not be sold for less than par with accrued interest.

Anticipation of current revenues of municipality; limitation.

Sec. 5655.

SECTION 3-a. In anticipation of the collection of current revenues in any fiscal year, the county commissioners of any county, the board of education of any school district or the township trustees of any township may borrow money and issue certificates of indebtedness therefor, but no loans shall be made to exceed the amount estimated to be actually received from taxes and other current revenues for such fiscal year, after deducting all advances. The sums so anticipated shall be deemed appropriated for the payment of such certificates at maturity. The certificates shall not run for a longer period than six months nor bear a greater rate of interest than six per cent and shall not be sold for less than par with accrued interest.

Anticipation of current revenues, of county, township or school district; limitation.

Sec. 2295-8.

SECTION 4. When the fiscal officer of any county or other political subdivision, including charter municipalities, certifies to the bond-issuing authority that, within the limits of its funds, available for the purpose, the subdivision is unable, with due consideration of the best interests of the subdivision, to pay a final judgment rendered against the subdivision in an action for personal injuries or based on other non-contractual obligation, then such subdivision may issue bonds, in an amount not exceeding the amount of the judgment and carrying interest not to exceed six percent, for the purpose of providing funds with which to pay such final judgment.

When bonds may be issued to pay final judgment.

## Sec. 2295-9.

Periods beyond which, bonds issued by subdivisions may not run; classification.

SECTION 6. That the maturities of bonds issued by counties and other political subdivisions, including charter municipalities, shall not extend beyond the following limitations as specified in the following classification, the period to be measured from the date of the bonds.

Bonds issued for—

Class (a)—the acquisition of real estate or easements or other interests in real estate, grade crossing elimination, and flood prevention, thirty years;

Class (b)—the construction or improvement of fireproof buildings or other structures, widening of roads, highways, streets or alleys, general waterworks improvements, sanitary and storm sewers, sewage disposal works, and bridges, twenty-five years;

Class (c)—the construction or improvement of non-fireproof buildings or other structure, electric light plant and equipment, police and fire alarm and telegraph systems, fifteen years;

Class (d)—waterworks meters, fire apparatus, road rollers, furniture and furnishings, machinery in garbage disposal plant, landscape planting, playground apparatus, sidewalks, curbs, gutters, and the construction, reconstruction, resurfacing, grading, or drainage of roads, highways, streets, or alleys, ten years;

Class (e)—motor vehicles other than fire apparatus, wagons and horses, bonds issued to pay judgments for personal injuries or other non-contractual obligations and also for defraying the expenses of an extraordinary epidemic of disease, five years;

Class (f)—purposes not included in the foregoing classes, such number of years not exceeding thirty as is the estimated period of usefulness of the asset, improvement, or other purpose, such estimate to be made by the fiscal officer;

Class (g)—a single bond issue for a purpose which includes two or more of the foregoing classes, the average number of years of usefulness as measured by the weighted average of the amounts proposed to be expended for said several classes in accordance with above table of maturities; such estimating and calculation of average to be made by the fiscal officer.

## Sec. 2295-10.

Certification of maximum indebtedness by fiscal officer before passage of ordinance, resolution, etc., for issue of bonds; contents of certification.

SECTION 7. Before any resolution, ordinance or other measure providing for the issuance of bonds or incurring of indebtedness of any county, or other political subdivision, including charter municipalities, is passed or adopted, the fiscal officer thereof shall certify to the bond-issuing authority the maximum maturity of such bonds or indebtedness, calculated in accordance with the provisions of the foregoing section, and no such bonds, shall be authorized or issued or indebtedness incurred with maturities extending beyond the maturities as thus certified by such fiscal officer. Where the proposed indebtedness falls within class (g), such certification shall also contain a schedule of the respective amounts of the proposed bonds

falling within each of classes (a) to (f) inclusive. The amount expended from the proceeds of the bonds for any purpose or purposes falling within any class shall not exceed the amount allotted in said schedule to said class; provided, however, that whenever the bond-issuing authority deems such transfer to be necessary for the carrying out of the purpose of the bond issue, then such authority may transfer any unexpended portion of the amount allotted to any class from the class to which it was originally so allotted to any class with a longer maturity and, upon such transfer, the amount expended for any purpose or purposes falling within the class to which such transfer has been authorized may include the amount so transferred; but no transfer may be made from any class to a class with a shorter maturity.

SECTION 8. That section 4520 of the General Code be, and same is hereby repealed, and that sections 3916, 5656, 3925 and 5657 of the General Code of Ohio be, and the same are hereby amended to read as follows:

Sec. 3916. For the purpose of extending the time of payment of any indebtedness created or incurred before the first day of January, 1924, which from its limits of taxation the corporation is unable to pay at maturity, the council thereof may issue bonds of the corporation or borrow money so as to change but not to increase the indebtedness, in such amounts, for such length of time and at such rate of interest as the council deems proper, not to exceed six per cent per annum, payable annually or semi-annually.

Authority to issue bonds extending indebtedness incurred prior to Jan. 1, 1924, by municipality.

Sec. 5656. The trustees of a township, the board of education of a school district and the commissioners of a county, for the purpose of extending the time of payment of any indebtedness created or incurred before the first day of January, 1924, which from its limits of taxation such township, district or county is unable to pay at maturity, may borrow money or issue the bonds thereof, so as to change, but not increase the indebtedness in the amounts, for the length of time and at the rate of interest that said trustees, board or commissioners deem proper, not to exceed the rate of six per cent per annum, payable annually or semi-annually.

Authority to issue bonds extending indebtedness incurred prior to Jan. 1, 1924, by county, township or school district.

Sec. 3925. When a municipality has issued bonds subject to call or redemption previous to maturity thereof, and it appears to the council thereof to be for the best interest thereof to exercise such privilege of call or redemption by means of refunding of such indebtedness at a lower rate of interest than is provided in said bonds, then such council may issue for that purpose new bonds with semi-annual interest coupons attached which shall not in any case exceed in amount the outstanding bonded indebtedness subject, as aforesaid, to call or redemption and proposed to be called, redeemed and refunded. The maturity of the bonds so issued shall not extend beyond the time of the maturity of the called, redeemed and refunded bonds.

Refunding bonded indebtedness.

Power to issue  
new bonds,  
when.

Sec. 5657. When the trustees of a township, board of education of a school district or commissioners of a county have issued bonds subject to call or redemption previous to the maturity thereof, and it appears to said trustees, board or commissioners to be for the best interest thereof to exercise such privilege of call or redemption by means of the refunding of such indebtedness at a lower rate of interest than is provided in said bonds, then such trustees, board or commissioners may issue for that purpose new bonds with semi-annual interest coupons attached which shall not in any case exceed in amount the outstanding bonded indebtedness subject, as aforesaid, to call or redemption and proposed to be called, redeemed and refunded. The maturity of the bonds so issued shall not extend beyond the time of the maturity of the called, redeemed and refunded bonds.

SECTION 9. That sections 3914 and 3914-1 of the General Code of Ohio be, and the same are hereby amended to read as follows:

Bonds or notes  
in anticipation  
of special as-  
sessments.

Sec. 3914. Municipal corporations may issue bonds or notes in anticipation of the levy of special assessments or of the collection thereof. Such bonds or notes may be in sufficient amount to pay that portion of the estimated cost of the improvement or service for which the assessments are levied. In the issuance and sale of such bonds or notes the municipality shall be governed by all restrictions and limitations with respect to the issuance and sale of other bonds or notes, and the assessments as paid shall be applied to the liquidation of such bonds or notes. Council ordinances and proceedings relating to the issuance of such bonds or notes shall not require publication.

Tax levy to pay  
deficiency.

Sec. 3914-1. Bonds or notes issued in anticipation of the levy of special assessments or the collection thereof shall be full, general obligations of the issuing municipal corporation, and for the payment of the principal and interest of the same, the full faith, credit and revenues of such municipal corporation shall be pledged. To provide for any deficiency in the levy, payment or collection of said assessments as the same fall due, the council of the issuing municipal corporation shall, prior to the issuance of the bonds or notes above mentioned, provide for the levy of a tax upon all the taxable property of said corporation.

SECTION 10. That sections 3941 and 3948 of the General Code of Ohio be, and the same are hereby amended to read as follows:

Net indebtedness  
limited to 2½%.

Sec. 3941. The net indebtedness created or incurred by a municipal corporation under the authority granted to it in section 3939 of the General Code and all other provisions of law or of the constitution authorizing the creation or incurring of indebtedness without a vote of the electors shall never exceed two and one-half per cent of the total value of all property in such municipal corporation as listed and assessed for taxation.

Sec. 3948. The net indebtedness created or incurred by a municipal corporation under the authority of sections 3939 and 3942 of the General Code of Ohio and all other provisions of law authorizing the creation or incurring of indebtedness shall never exceed five per cent of the total value of all property in such municipal corporation as listed and assessed for taxation.

Maximum net  
indebtedness  
5%.

SECTION 11. That section 3948 of the General Code of Ohio be, and the same is hereby supplemented by the following section 3948-1:

Sec. 3948-1. Exclusive of bonds approved by the electors of the corporation at a general or special election held in the manner provided in sections 3943 to 3947, inclusive, of the General Code of Ohio, the net indebtedness created or incurred by any charter municipality shall never exceed two and one-half per cent of the total value of all property in such municipal corporations as listed and assessed for taxation. Upon resolutions of its council or chief legislative body, passed by an affirmative vote or not less than two-thirds of all the members elected or appointed thereto, the electors of any such municipality are hereby authorized to vote upon a proposed issue of bonds and the deputy state supervisors of elections of the county are hereby authorized and directed to conduct, canvass and certify any such election in the manner provided in said sections 3943 to 3947. Inclusive of bonds heretofore or hereafter approved by the electors as aforesaid, the net indebtedness of any such municipal corporation shall never exceed five per cent of the total value of all property in such municipal corporation as listed and assessed for taxation.

Maximum in-  
debtedness in  
charter munic-  
ipality 2½%.

SECTION 12. That section 3949 of the General Code of Ohio be, and the same is hereby amended so as to read as follows:

Sec. 3949. The net indebtedness prescribed in sections 3941, 3948 and 3948-1 of the General Code of Ohio, shall be the difference between the par value of the outstanding and unpaid bonds and the amount held in the sinking fund, judgment fund, bond fund, and other indebtedness retirement funds for their redemption. In ascertaining the limitations of two and one-half per cent and five per cent, prescribed in sections 3941, 3948 and 3948-1, the following bonds shall not be considered:

"Net indebted-  
ness" defined.

(a) Bonds issued prior to April 29, 1902;  
(b) Bonds heretofore issued to refund, extend the time of payment of, or in exchange for bonds representing an indebtedness created or incurred prior to April 29, 1902;

What bonds not  
considered in as-  
certaining  
limitation.

(c) Bonds issued in anticipation of the levy or collection of special assessments, either in original or refunded form, and certificates of indebtedness issued in anticipation of the collection of current revenues;

(d) Bonds heretofore issued for the payment of obligations arising through emergencies caused by epi-

demics, floods or other forces of nature, and bonds hereafter issued for the replacement or restoration of property destroyed or injured by sudden casualty which could not have reasonably been foreseen, or for defraying the expenses of an extraordinary epidemic of disease; but the aggregate amount of such emergency bonds hereafter issued which may be so excluded from consideration of net indebtedness shall not exceed one-half of one per cent of the total value of all property in the municipal corporation as listed and assessed for taxation;

(e) Bonds heretofore issued to meet deficiencies in the revenue, as provided for in section 3931 of the General Code;

(f) Bonds issued for the purpose of purchasing, constructing, improving and extending water-works to the extent that the income from such water-works is sufficient to cover the cost of all operating expenses, interest charges and to pass a sufficient amount to a sinking fund to retire such bonds as they become due or to provide for the payment of the interest and principal installments of serial bonds as they become due, or bonds heretofore issued, or heretofore authorized by the General Assembly, for municipally owned steam railways, and bonds heretofore issued, or heretofore authorized by a vote of the people, under the authority of sections 4000-16 to 4000-28 inclusive of the General Code, provided that all other bonds issued under the provisions of sections 4000-16 and 4000-28 shall be counted in the limitation unless prior to their issues, the Public Utilities Commission of Ohio on application made to it by the municipality concerned shall certify that in its opinion the interest and sinking fund charges thereon will be paid the third year of operation from the receipts of the rapid transit system to be constructed. Provided, further, that after the end of the third fiscal year of operation of any rapid transit system only such amount of the bonds heretofore or hereafter issued under the provisions of said section shall be excluded from consideration on which the interest, sinking fund and retirement have actually been paid from the receipts of the system during the preceding year, such payment to be certified by the fiscal officer of the municipality.

Bonds issued under authority of section 15093 of the General Code and subsequent sections thereto of an act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869, and acts supplemental thereto and amendatory thereof.

(g) Bonds issued under the authority of section 1259 of the General Code;

(h) Bonds issued for the payment of non-contractual final judgments under the authority of section 4 of this act;

(i) Excess condemnation and mortgage bonds issued under the authority of section 10 or section 12 of Article



XVIII of the Constitution of Ohio and other bonds not secured by the general credit of the municipality.

(j) All bonds issued previous to January 1, 1922, and not included in any of the above classes (a) to (i) inclusive, which at the time of issuance were not required by law to fall within the percentage limitations as provided in sections 3941 and 3948 of the General Code.

Sec. 7630-2.

SECTION 13. The net indebtedness created or incurred by any school district shall never exceed six per cent of the total value of all property in such school district as listed and assessed for taxation; provided, however, that in the case of any school district whose net indebtedness at the time of the passage of this act exceeds said six per cent, such school district may, in addition to said six per cent, issue bonds under the authority of section 7625 General Code not exceeding in the aggregate an amount equal to one per cent of the total value of all property in such school district as levied and assessed for taxation and bonds under the authority of section 7629 of the General Code not exceeding one-half of one per cent of said total value. "Net indebtedness" for school districts shall be defined as provided in section 3949, General Code, for municipalities. Bonds issued under the authority of section 7630-1 of the General Code for the replacement of condemned or destroyed schoolhouses as well as all classes of bonds which are in said section 3949 excluded from the calculation of the net indebtedness of municipalities shall, insofar as applicable to school districts, be likewise excluded from the calculation of the net indebtedness of school districts.

Maximum net indebtedness in school district 6%.

"Net indebtedness" defined.

Sec. 7630-1. If a school house is wholly or partly destroyed by fire or other casualty, or if the use of any school house or school houses for their intended purpose is prohibited by an order of the Industrial Commission of Ohio or its successor in such authority, and the board of education of the school district is without sufficient funds applicable to the purpose, with which to rebuild or repair such school house or to construct a new school house for the proper accommodation of the schools of the district, and it is not practicable to secure such funds under any of the six preceding sections because of the limits of taxation applicable to such school district, such board of education may issue bonds for the amount required for such purpose. For the payment of the principal and interest on such bonds and on bonds heretofore issued for the purpose herein mentioned and to provide a sinking fund for their final redemption at maturity, such board of education shall annually levy a tax as provided by law.

Replacement of school house destroyed or condemned; bond issue.

Sec. 2295-11.

SECTION 13-b. The cost of construction of any building, utility or improvement may be construed to include interest payable during construction on bonds issued for such construction. A sum not to exceed one-year's interest on any bond issue may be included in the amount of the issue to the extent necessary to care for

What cost of construction may include.

interest maturing previous to the receipt of the taxes or assessments from which such interest is to be ultimately paid.

**Sec. 2295-12.**

General provisions relating to the issue of all bonds.

**SECTION 14.** All bonds hereafter issued by any county, municipality, including charter municipalities, school district, township or other political subdivision, shall be serial bonds maturing in substantially equal annual installments beginning not earlier than the date fixed by law for the final tax settlement between the county treasurer and the political subdivision or taxing district next following the inclusion of a tax for such issue in the annual budget by the county auditor as provided by law and not later than eleven months thereafter.

**Sec. 5649-1b.**

Resolution or ordinance shall contain tax levy and included in annual budget.

**SECTION 15.** The resolution, ordinance or other measure under which bonds are issued or authorized shall contain a levy of taxes sufficient to pay the interest and principal of the bonds as they mature and every such resolution, ordinance or measure shall be certified by the fiscal officer of the political subdivision to the county auditor of the county in which the subdivision is located. Thereafter, the county auditor, without further action by the tax-levying authority of the subdivision, shall include said annual levies in the appropriate annual budgets submitted by him to the budget commissioners as provided in section 5649-3c of the General Code, including the county budgets; provided, however, that the county commissioners of any county, board of education of any school district, trustees of any township or council or chief legislative body of any municipality or other political subdivision may in any year appropriate for the purpose of paying any part of the annual interest or principal of such bonds of the political subdivision any surplus in the sinking fund or other bond retirement fund of the political subdivision not required for the purpose for which the said sinking or other bond retirement fund was raised and certify such appropriation to the county auditor, and thereupon the tax levy of the subdivision for the current year for the interest and principal of said bonds and the sum submitted by the auditor to the budget commissioners for said purpose shall be reduced by the amount so certified, and the sum appropriated as aforesaid shall not be used or expended for any purpose other than the payment of the interest and principal for which appropriated until and unless said interest and principal be otherwise fully paid or liquidated; provided that no such appropriation shall be made from the sinking fund without the approval of the sinking fund trustees or commissioners. The sum thus included in any budget submitted to the budget commissioners shall not be reduced by said commissioners and shall be given by said auditor and commissioners and other taxing authorities all the precedence and priorities provided by law for interest and sinking fund levies.

Sec. 5649-1c.

SECTION 16. On or before the first Monday in May of each year, the fiscal officer of the municipal corporation or other political subdivision shall certify to the council, county commissioners, board of education or other tax levying authority of his political subdivision the amount of tax necessary to provide for the payment of final judgments against the political subdivision, except in condemnation of property cases, and said tax levying authority shall place such amount in the annual tax levying ordinance, resolution or other measure for the full amount certified.

Certification by fiscal officers of tax necessary to pay judgments.

Sec. 2295-13.

SECTION 17. All moneys collected from taxes or other sources for the payment of final judgments against the political subdivision (other than condemnation of property cases) shall go into a separate fund of the subdivision, to be known as "Judgment Fund." All powers and obligations now vested by law in any board of sinking fund trustees or commissioners of any county, school district, municipality or other political subdivision relating to the receipt, investment and application of funds raised by taxation or otherwise for the payment of said final judgments are hereby transferred to the treasurer of the subdivision. By an affirmative vote of not less than three-fourths of the members elected or appointed thereto, the county commissioners, board of education, city council or other chief tax levying authority of a political subdivision may transfer to the judgment fund from the bond payment or other fund of the subdivision any surplus in the latter not needed for the purpose of meeting the interest and retirement of the funded debt of the subdivision and which it deems necessary for the prompt payment of the said final judgments; provided that no such transfer shall be made from the sinking fund without the approval of the sinking fund trustees or commissioners.

"Judgment fund," transfers to.

SECTION 18. That sections 2976-26, 7614, 4506, 4513 and 4517 of the General Code of Ohio be, and the same are hereby amended so as to read as follows:

Sec. 2976-26. On or before the first Monday in May of each year, the trustees of the sinking fund shall certify to the board of county commissioners the rate of tax necessary to provide a sinking fund for the payment at maturity of bonds heretofore issued by the county and for the payment of interest on said bonded indebtedness. The amount so certified shall be set forth in the annual budget of the county commissioners without diminution.

When tax rate certified.

Sec. 7614. The board of education of every district shall provide by a tax levy for the payment of the annual interest on its bonded indebtedness, for the payment of its serial bonds as they mature, and for a sinking fund for the extinguishment of its other bonded indebtedness, which funds shall be managed and controlled by a board of commissioners designated as the "board of commissioners of the sinking fund of \_\_\_\_\_" (inserting the name of the district), which shall be composed of five

Who to provide funds; management and control.

electors thereof, and be appointed by the common pleas court of the county in which such district is chiefly located, except that, in city or village districts the board of commissioners of the sinking fund of the city or village may be the board of the school district. Such commissioners shall serve without compensation and give such bond as the board of education requires and approves. Any surety company authorized to sign such bonds may be accepted by such board of education as surety. The cost thereof, together with all necessary expenses of such commissioners, shall be paid by them out of the funds under their control.

Tax to create  
sinking fund.

Sec. 4506. Municipal corporations having outstanding bonds or funded debts shall, through their councils and in addition to all other taxes authorized by law, levy and collect annually a tax upon all the real and personal property in the corporation sufficient to pay the interest and provide a sinking fund for the extinguishment of all bonds and funded debts heretofore issued and incurred and the taxes so raised shall be used for no other purpose whatever.

Report of trustees to council;  
duty of council.

Sec. 4513. On or before the first Monday in May of each year, the trustees of the sinking fund shall certify to council the amount of tax necessary to provide a sinking fund for the future payment of bonds heretofore issued by the corporation, for the payment of interest on such bonded indebtedness, and the rents due on perpetual leaseholds of the corporation not payable from a special fund, and the expenses incident to the management of the sinking fund. The council shall place the several amounts so certified in the tax ordinance before and in preference to any other item and for the full amount certified. Such taxes shall be in addition to all other taxes authorized by law.

Payment of  
obligations by  
trustees.

Sec. 4517. The trustees of the sinking fund shall have charge of and provide for the payment of all bonds issued by the corporation and the interest maturing thereon. They shall receive from the auditor of the city or clerk of the village all taxes, assessments and moneys collected for such purposes and invest and disburse them in the manner provided by law. For the satisfaction of any obligation under their supervision, the trustees of the sinking fund may sell or use any of the securities or moneys in their possession.

SECTION 19. That section 5649-1 of the General Code of Ohio be and the same is hereby amended so as to read as follows:

Tax levy for  
sinking fund  
and interest.

Sec. 5649-1. In any taxing district, the taxing authority shall, within the limitations and in the manner prescribed by law, levy a tax sufficient to provide for interest and maturity payment purposes for all serial bonds issued by any political subdivision, and for interest and for sinking fund purposes of all bonds heretofore issued by such political subdivision, which tax shall be

placed before and in preference to all other items, and for the full amount thereof.

Sec. 2295-14.

SECTION 20. The board of sinking fund trustees of any county or municipality or the board of sinking fund commissioners of any school district shall continue to exercise the powers provided in sections 2976-18 to 2976-27 inclusive, 4511 to 4522 inclusive, 3932 and 7613 to 7619 inclusive of the General Code and all other provisions of law relating to its powers, until all outstanding bonds of such county, municipality or school district to be retired by means of a sinking fund shall have been paid; and thereupon it shall be deemed to be abolished and its functions and powers relating to the purchase and sale of securities, receipt, deposit and investment of taxes, assessments and other funds raised for the payment of bonds and funded debts, the application of such funds to the payment of bonds and other indebtedness and all its other powers and functions as set forth in said provisions of law as amended in this act shall be deemed to be transferred to the treasurer of the county, municipality or school district, and all moneys, securities and other assets then in the custody and possession of such board shall be transferred and delivered to such treasurer. Thereafter all said moneys, securities and assets and all moneys received by the county, municipality or school district for the payment of the interest and principal of its bonds or other funded debts and all inheritance taxes and all other taxes and revenues which were theretofore payable, by virtue of provisions of law, into its sinking fund shall be paid to its treasurer and placed and held by him in a separate fund to be known as "Bond Payment Fund" and subject to the provisions of law relating to transfer to other funds, said fund shall be applied by him to the purposes for which the sinking fund had theretofore been applicable.

Sinking fund officers continue to exercise powers until outstanding bonds are retired; thereafter powers transferred to treasurer.

Sec. 2295-15.

SECTION 20-a. The trustees of a railway constructed and leased by any city under the authority of the "act relating to cities of the first class, having a population exceeding one hundred and fifty thousand inhabitants," passed May 4, 1869, and acts supplementary thereto and amendatory thereof, which lease provides for rentals based on annual sinking fund and interest charges of bonds to be issued for the construction or improvement of such railway, are hereby granted the authority to agree with the lessee thereof upon such amendment of such lease as will provide, in the case of serial bonds hereafter issued for the construction or improvement of such railway, for rentals based on the annually accruing interest and principal of such serial bonds. Until such amendment is agreed upon, the provisions of section 14 of this act shall not apply so as to require serial bonds to be issued for the construction or improvement of such railway; but the issuance of sinking fund bonds for such purposes shall not affect or postpone the abolition of the sinking

Powers of trustee of railway constructed and leased by city.

fund trustees of the city as provided in section 20 of this act, and after such abolition the rentals accruing under such leases shall be paid to the treasurer of the city and said treasurer shall maintain and apply the sinking fund for and pay the interest and sinking fund charges accruing upon bonds issued for said purposes as provided in said section 20 of this act.

Repeals.

SECTION 21. That original sections 2976-26, 3913, 3914, 3914-1, 3916, 3925, 3931, 3941, 3948, 3949, 4506, 4513, 4517, 5656, 5657, 5649-1, 7614 and 7630-1, also sections 3915, 3952, 3954-1, 4520 and 7613 of the General Code and all acts or parts of acts inconsistent herewith be, and the same are hereby repealed.

Section or parts void shall not affect others.

SECTION 22. Sections of this act or parts thereof are hereby declared to be independent sections and parts of sections, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not affect any other section or sections or part or parts thereof.

When act shall take effect.

SECTION 23. This act shall take effect from and after January 1, 1922, and its provisions shall govern and apply to all ordinances, resolutions, measures and proceedings pending on that date.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus Ohio, on the 18th day of May, A. D. 1921.

176 G.

[House Bill No. 395.]

## AN ACT

To authorize county commissioners to repair, replace and reconstruct bridges removed from rivers, creeks and water courses by reason of the removal thereof in conservancy districts and to authorize county commissioners to borrow and expend money therefor and to exempt the issue of bonds and levies of taxes made for such purposes from certain requirements and limitations.

*Be it enacted by the General Assembly of the State of Ohio*

Sec. 2432-1.

Repair, replace and reconstruct bridges removed in conservancy districts; authority to borrow money and issue bonds.

SECTION 1. That in all counties in which there has been or may hereafter be established a conservancy district under the act of February 5th, 1914, known as the "Conservancy Act of Ohio" wherein the official plan for the improvement of rivers, creeks or other water courses required the removal of bridges across such rivers, creeks or water courses in any such conservancy district, and

public travel is or will be closed or greatly interfered with in such district and such an urgent and immediate public necessity exists for the repairs, alteration and replacement of bridges or the construction of new bridges over such rivers, creeks or water courses, the county commissioners are hereby authorized to enter into contracts under the general laws of this state, to remove, alter, repair, replace and construct new bridges over such rivers, creeks or water courses that have been or will be removed therefrom in the process of improvement under said Conservancy Act, and appropriate money, levy taxes, borrow money or issue bonds for such purposes.

Sec. 2432-2.

SECTION 2. That for the purposes mentioned in section 1 of this act and for the permanent repair, replacement and construction of bridges in any such conservancy district, which have been removed or may hereafter be removed in the process of improvements under said conservancy act from rivers, creeks and water courses in such conservancy district, the county commissioners shall cause plans for and estimates to be made of the kind and cost of new bridges also the cost of all repairs to or replacement of bridges over such rivers, creeks or water courses and upon the submission to them of such plans, specifications and estimates of cost, the county commissioners, if an urgent necessity for an immediate construction, repair and replacement of such bridge or bridges exist, shall cause a resolution to be adopted, declaring it necessary to proceed with the construction, repair and replacement of said bridge or bridges, which resolution shall state all the facts necessary to bring it within the terms of this act, so far as the emergency and necessity is concerned.

Plans and estimates; resolution to proceed with improvement.

Sec. 2432-3.

SECTION 3. For the execution of the objects of sections 1 and 2 and to provide means for the repair, construction and replacement of such bridge or bridges in such district so as to provide for public travel therein, the county commissioners may borrow such sum or sums of money as they deem necessary, not to exceed two hundred fifty thousand dollars, at a rate of interest not exceeding six per cent per annum and issue the bonds of the county to secure the payment of the principal and interest thereof, without first submitting to the voters of the county, the question as to the policy of making the expenditure necessary for the repair, replacement and construction of such bridge or bridges, which bonds shall not be counted in ascertaining any of the limitations of section 5638 of the General Code. The bonds issued under authority of this act shall be signed as other county bonds, they shall recite on their face the purpose for which they are issued and that they are issued under this act, they shall be issued in such denominations, and at such rate of interest, not exceeding six per cent, payable semi-annually, and for such period of time not exceeding ten years as the county commissioners by resolution may determine; provided, however, that no greater amount of such bonds shall be

Power to borrow money; limitation of amount; issue of bonds.

made payable in any one year than shall equal seven-tenths of one per cent of the total value of the property of such county as listed and assessed for taxation in the year 1920, and shall be advertised and sold as provided in section 2294 General Code.

Sec. 2432-4.

Tax levy for  
sinking fund and  
interest.

SECTION 4. That for the purpose of paying the principal and interest on bonds issued under this act and to provide for a sinking fund for interest purposes, the county commissioners shall annually levy a tax of not exceeding seven-tenths of one mill on each dollar of valuation of taxable property within their county, irrespective of any of the limitations of sections 5649-2 to 5649-5b, of the General Code. For the purpose of paying interest on bonds issued under authority of section 3 of this act, and providing a fund for their final redemption at maturity, the county commissioners shall provide at the time the indebtedness is incurred, for levying and collecting annually, by taxation a sufficient amount, which amount shall be certified to the county auditor, who shall compute and ascertain the rate necessary to provide therefor, and shall place the same upon the tax duplicate of the county for year or years for which it is certified, in addition to all other levies, and irrespective of any of the provisions or limitations of sections 5649-2 to 5649-5b, inclusive, of the General Code, or any other limitations of tax rates at present in force. In no case shall funds produced by the levy authorized and required to be made by this section be used otherwise than for the purpose specified herein.

The sectional  
numbers on the  
margin hereof  
are designated as  
provided by law.  
JOHN G. FAICH,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed at the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

177 G.



## AN ACT

Providing for the creating of county library districts and the certification of librarians therefor.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 7643-1.

SECTION 1. A county library district may be created in any county, composed of territory therein in which free library service is not furnished to all of its citizens, in the manner hereinafter provided. Upon the filing of a petition in the probate court of the county, signed by not less than twenty-five per cent of the electors residing in the territory comprising the proposed district, specifically describing the territory in such proposed district by metes and bounds and accompanied by a map or plat showing the boundaries thereof, or in case such proposed district is composed of entire townships, school districts, or municipalities, the proper name of each such subdivision, the probate judge shall fix a day for the hearing thereof not more than thirty days after the filing of such petition. If the probate judge finds the territory of such proposed district sufficiently described and the boundaries thereof accurately designated he shall certify such fact to the deputy state supervisors of elections of the county, who shall submit the question of the creation of such county library district to the electors residing in the territory comprising such proposed district and shall place the same on the ballot at the next regular or general election. If a majority of the electors voting upon such proposition vote in the affirmative, such district shall be deemed and held to have been created.

County library district, how created.

Submission of question.

Sec. 7643-2.

SECTION 2. The management of the county library district service shall be vested in a board of five county library district trustees, two appointed by the common pleas judge or judges and three by the commissioners of the county; the two for one and four years respectively, and the three for two, three and five years respectively. Thereafter, all trustees shall be appointed for five year terms and vacancies for unexpired terms filled by the same appointing powers.

County library district trustees; appointment, term.

Sec. 7643-3.

SECTION 3. Such board shall levy annually for district library purposes a tax on all the taxable property of the county library district of not less than two-tenths of a mill nor more than one mill.

Tax levy.

Sec. 7643-4.

SECTION 4. Any subdivision of a county maintaining a free public library open to all the citizens within its limits may, by resolution adopted and entered upon the minutes of its board of trustees or other governing body and filed with the trustees of the county library district, become a part of a county library district and be subject to all the provisions of this act applying thereto; provided, that on petition of not less than fifty electors residing in such subdivision, filed with the deputy state supervisors

Subdivision of county maintaining free public library may become part of district; procedure.

of elections or deputy state supervisors and inspectors of elections, as the case may be, not less than sixty days before the next general election, the question of becoming a part of the county library district shall be submitted to the electors of such subdivision and if a majority of those voting thereon shall vote in the affirmative, such sub division shall become a part of such county district.

Sec. 7643-5.

Contract with governing bodies of libraries for free use of, by district.

SECTION 5. The county library district trustees may contract with the governing body or bodies of one or more libraries within the county, and such governing body or bodies shall have the power to enter into a contract for the free use of such library or libraries by the people of the county library district. If the county library district trustees contract for library service with more than one library, the county library district may be divided for such service. Such contract or contracts shall contain such provisions as shall best subserve the purpose of giving the people of the county library district the advantages of efficient library service. The county library district trustees of a county may contract to furnish library service to another county library district, or to other county library districts, and the trustees of such other county library district or districts shall have the power to enter into such contract. Contracts as provided in this section may be terminated by mutual agreement, or by either of the two contracting parties on giving six months' notice before the beginning of the next ensuing tax year, or by the failure of the county library district trustees to make the necessary levy.

Service may be furnished to other county districts.

Sec. 7643-6.

Powers and duties of trustees; expenses.

SECTION 6. The county library district trustees shall serve without compensation, but their necessary expenses shall be allowed and paid out of the county district library fund. They shall have power to receive bequests or gifts of real or personal property, or of money; to purchase, lease or dispose of grounds and buildings; to construct buildings and to furnish, equip and maintain the same for library purposes. They shall render an efficient library service in their respective districts. They shall submit an annual report of service, statistics and finances to the county commissioners and the state director of library service in such form as shall be required by the latter. They shall draw up annually a budget, showing in detail the purposes for which it is proposed the money be expended during the succeeding year, and certify same to the budget commission, which amount shall be allowed by the budget commission in addition to all other levies, provided such amount shall be within the limits as set forth in section three.

Sec. 7643-7.

Deposit and use of monies; fund.

SECTION 7. All moneys realized from the levy made for the county library district under the provisions of this act, including interest on all library funds, and all moneys received or collected by said trustees for the library district, shall be placed in the treasury of such county, subject to the order of such board of trustees of such library

district. Such fund shall be known as the county library district fund of such county, of which the county treasurer shall be custodian; and no money shall be drawn therefrom, except upon the requisition of the board of trustees of such library district, certified by the president and secretary of such board, directed to the county auditor, who shall draw his warrant upon the county treasurer therefor. Any part of said funds unexpended during any year shall remain to the credit of such library district fund.

Sec. 7643-8.

SECTION 8. The librarians of the two public libraries of largest circulation in the state, the director of state library service, and two persons representing rural library work and chosen by the state library commission shall constitute a state board of library examiners. The members chosen by the state library commission shall serve one for two and the other for four years, and their successors, appointed by the same authority, shall serve for a term of four years. Such boards shall examine applicants for the position of county district librarian. The members shall receive no compensation but their necessary expenses shall be paid from the appropriation for the state board of library commissioners on the warrant of that body. They may adopt rules and regulations for the government of the board and for carrying out the provisions of this section. No person who has not received a certificate of qualification from the state board of library examiners shall be employed as librarian in charge of any county library district. The county librarian and his assistants shall be appointed and their salaries fixed by the county library district trustees, and shall also be allowed necessary traveling expenses incurred on the business of the library within the county, upon approval of the county library district trustees, and in addition, the county librarian shall attend and take part in an annual state convention of county librarians, for which railroad expenses shall be allowed out of the county library district fund.

Board of library examiners, how composed; term of office; duties.

Sec. 7643-9.

SECTION 9. The words "the beginning of the next ensuing tax year" shall mean the day upon which taxes upon real estate become a lien.

Definition.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

178 G.

[House Bill No. 175.]

## AN ACT

To abolish the superior court of Cincinnati, by repealing sections 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578 and 1579 of the General Code, creating the superior court of Cincinnati.

*Be it enacted by the General Assembly of the State of Ohio:*

Superior court  
of Cincinnati  
abolished.

SECTION 1. The court of record heretofore established within the city of Cincinnati, and the county of Hamilton, styled "the superior court of Cincinnati," shall continue until the termination of the term of office of those judges already thereto elected.

SECTION 2. Upon the termination of the term of office by death, resignation, removal or expiration of the present term, for which said judges were severally elected, the vacancy created thereby in either or any of said offices shall not be filled either by election or appointment.

SECTION 3. Upon the termination of the term of said judges by death, resignation, removal or expiration of the present term of office the court shall be abolished, and the causes then pending in said court and all records shall be transferred to the court of common pleas of Hamilton county, Ohio which shall have power and jurisdiction to hear and determine them.

SECTION 4. Sections 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578 and 1579 of the General Code are hereby repealed; said repeal to take effect with the termination of the office of all the judges as provided in the next preceding section.

SECTION 5. Nothing in this act shall be construed to affect in any wise the present incumbents elected by virtue of any acts, or part of acts hereby repealed, either in their compensation, powers, duties or obligations, except as provided in section six hereof or otherwise for and during the term of office for which said judges were severally elected.

SECTION 6. The power and jurisdiction conferred upon the superior court of Cincinnati by virtue of section 15098 of the General Code is hereby terminated and abolished, and the same is vested in the court of common

pleas of the county in which said superior court of Cincinnati is located.

This act does  
not require a  
code number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

179 G.

[House Bill No. 139.]

## AN ACT

Providing for the cutting of noxious weeds in municipalities of Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 4245-1.

SECTION 1. Upon written information that noxious weeds are growing on lands in a municipality, and are about to spread or mature seeds, the council of such municipality shall cause a written notice to be served upon the owner, lessee, agent or tenant having charge of such land notifying him that said noxious weeds are growing on such lands and that they must be cut and destroyed within five days after the service of such notice. If such owner or other person having charge of such lands is a non-resident whose address is known, such notice shall be sent to his address by registered mail; if the address of such owner is unknown, it shall be sufficient to publish such notice once in a newspaper of general circulation in the county.

Notice to owner  
to cut noxious  
weeds; service.

Sec. 4245-2.

SECTION 2. A marshal, or any police officer, clerk of council or clerk of a city or village, or his deputy, may make service and return of the notice provided for in the next preceding section and the fees therefor shall be the same as are allowed for service and return of summons in civil cases before a magistrate.

Fees for service  
and return.

Sec. 4245-3.

SECTION 3. If the owner, lessee, agent or tenant having charge of the lands mentioned in section one herein, fails to comply with such notice, the council of such municipality shall cause said noxious weeds to be cut and destroyed and may employ the necessary labor to carry out the provisions of this section. All expenses incurred shall, when approved by the council, be paid out of any money in the treasury of the municipality not otherwise appropriated.

Procedure when  
owner fails to  
comply with  
notice.

Sec. 4245-4.

Written return  
to county au-  
ditor; amount a  
lien upon prop-  
erty.

SECTION 4. The council of a municipality shall make a written return to the county auditor of their county of their action under the next three preceding sections with a statement of the charges for their services, the amount paid for the performing of such labor and the fees of the officers who made the service of the notice and return and a proper description of the premises. Such amounts, when allowed, shall be entered upon the tax duplicate and be a lien upon such lands from and after the date of the entry and be collected as other taxes and returned to the municipality with the general fund.

The sectional  
numbers on the  
margin hereof  
are designated as  
provided by law.  
JOHN G. PRICE,  
Attorney  
General.

C. C. CRABBE,  
*Speaker pro tem of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

180 G.

[Amended Senate Bill No. 141.]

## AN ACT

Providing that persons who have served in the world war shall not be required to pay tuition fees in state supported schools.

Sec. 7930-1.

Who exempt  
from payment of  
tuition in state  
supported  
schools.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. Any citizen of this state who has resided within the state for one year and who was in the active service of the United States as soldier, sailor, nurse or marine between April 6, 1917 and November 11, 1918 and who has been honorably discharged from such service, shall be admitted to any school, college or university which receives state funds in support thereof, without being required to pay any tuition or matriculation fee, but shall not be relieved for the payment of laboratory or similar fees.

The sectional  
number in this  
act is designated  
as provided by  
law.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 27, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

181 G.

[House Bill No. 176.]

## AN ACT

To abolish the insolvency court of Hamilton county, and to repeal sections 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618 and 1619 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The court of record heretofore established in the county of Hamilton, styled "the court of insolvency," shall continue until the term of the present incumbent expires.

SECTION 2. Upon the termination of the term of office by death, resignation, removal or expiration of the present term, for which said judge is elected, the vacancy created thereby in said office shall not be filled either by election or by appointment.

SECTION 3. Upon the termination of the term of said judge by death, resignation, removal or expiration of the present term of office, the court shall be abolished, and the causes then pending in said court and all records shall be transferred to the court of common pleas of Hamilton county, Ohio, which shall have power and jurisdiction to hear and determine them.

SECTION 4. Sections 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618 and 1619 of the General Code are hereby repealed, said repeal to take effect with the termination of the office of the judge as provided in the next preceding sections.

SECTION 5. Nothing in this act shall be construed to affect in any wise the present incumbent elected by virtue of any acts or part of acts hereby repealed, either in his compensation, powers, duties or obligations, or any other wise for and during the term of office for which said judge was elected.

SECTION 6. Except as herein otherwise specifically provided, this act shall be effective from and after the earliest period provided by law.

This act does  
not require  
General Code  
numbers.  
JOHN G. PRICH,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 26, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

182 G.

[House Bill No. 177.]

## AN ACT

To promote safety by prohibiting the erection of signs resembling railroad crossing signs.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 7204-1.

Erection of advertising signs resembling those required by R. R. companies prohibited.

SECTION 1. It shall be unlawful for any person, firm, or corporation to erect, display, or maintain an advertising or other sign on, along, or near any public highway in any county of this state which resembles the highway crossing signs which steam and interurban railroads have erected in compliance with section 8852 of the General Code of Ohio at the crossings of public roads and railroads in that county.

Sec. 7204-2.

Penalty for violation of act.

SECTION 2. Any person, firm, or corporation who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five dollars nor more than twenty-five dollars; and each and every day that such violation shall continue shall be deemed to constitute a separate and distinct offense, and the erection, display or maintenance of each and every advertising or other sign referred to in this act, except such as provided in section 8852 of the General Code of Ohio, shall be deemed to constitute a separate offense.

Sec. 7204-3.

Enforcement of law.

SECTION 3. It shall be the duty of the public utilities commission of Ohio to enforce the provisions of this act and to prosecute any and all violations thereof, and said commission is hereby authorized and directed to order the removal of any such prohibited sign.

It shall be the duty of the attorney general of Ohio and the prosecuting attorney of any county in this state to carry into effect the orders of the public utilities commission made under this act, and to prosecute any and all violations of such orders.

The sectional numbers on the margin hereof are designated as provided by law. JOHN G. PRICE, Attorney General.

C. C. CRABBE,  
*Speaker pro tem of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 27, 1921.  
Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

183 G.



[Amended Senate Bill No. 40.]

## AN ACT.

To fix by law a standard for cream and to provide a penalty for violation thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 12716-1.

SECTION 1. Cream shall consist of that portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force. It shall contain eighteen per cent of milk fat. Whipping cream is cream which contains not less than thirty per cent of milk fat. The word cream or any combination or association of the word cream, shall not be used as a name or part of a name of any imitation of, or substitute for cream or milk or skim-milk mixture of less than eighteen per cent milk fat in connection with the sale of such imitation or substitute, or in any hotel, restaurant or place where cream is sold, delivered or served.

Per cent of milk  
fat cream shall  
contain.

Sec. 12716-2.

SECTION 2. Whoever sells, exchanges, delivers or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale or exchange cream or whipping cream which does not conform with the requirements in section one of this act, and whoever uses the word cream or any combination or association of the word cream in violation of the provisions of section one of this act shall be fined not less than fifty dollars nor more than two hundred dollars; and for a second offense shall be fined not less than one hundred dollars nor more than three hundred dollars, or imprisoned in the jail or workhouse not less than thirty days nor more than sixty days.

Sale or exchange  
of cream which  
does not con-  
form with re-  
quirements, un-  
lawful; penalty.

CLARENCE J. BROWN,  
*President of the Senate*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 28, 1921.

Approved May 14, 1921.

HARRY L. DAVIS,  
*Governor.*

The sectional  
numbers on the  
margin hereof  
are designated  
as provided by  
law.  
JOHN G. PRICE,  
*Attorney  
General.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

[House Bill No. 325.]

## AN ACT

To provide a building fund for the Ohio state university and the universities supported by the state, and for the several state institutions.

*Be it enacted by the General Assembly of the State of Ohio:*

Building fund  
for Ohio State  
and other uni-  
versities sup-  
ported by the  
state.

SECTION 1. For the purpose of providing a fund for the construction of necessary buildings at Ohio state university, Ohio university and Miami university, there shall be levied for the year 1921-1922 and for the year 1922-1923 on the grand list of taxable property of the state a tax of one hundred and twenty-five thousandths of one mill, which tax levy shall be outside of all tax limits prescribed by law, and which shall be collected in the same manner as other state taxes and the proceeds of which shall constitute the educational building fund of the state.

Tax levy for  
department of  
welfare.

For the purpose of providing a fund for the construction of necessary buildings and equipment thereof and for the repairs, remodeling or additions to the present buildings at the institutions under the supervision of the department of public welfare, there shall be levied for the year 1921-1922 and for the year 1922-1923 on the grand list of taxable property of the state a tax of twenty-five hundredths of one mill, which shall be collected in the same manner as other state taxes and the proceeds of which shall constitute the institutional building fund of the state, which tax levy shall be outside of all tax limits prescribed by law.

Appropriation.

SECTION 2. There is hereby appropriated from the moneys raised or coming into the state treasury to the credit of the educational building fund, a sum equal to fourteen per centum of such fund for the uses and purposes of the board of trustees of Ohio university in the erection of necessary buildings and improvements not otherwise provided for; a sum equal to fourteen per centum of such fund for the uses and purposes of the board of trustees of Miami university for like purposes; and a sum equal to the remainder of the educational building fund, for the uses and purposes of the board of trustees of Ohio state university for like purposes. The sums hereby appropriated may, in the discretion of the several boards to which they are respectively appropriated, be allotted to building projects covered by specific appropriations for like purposes effective during the fiscal biennium commencing July 1, 1921, or to additional building projects. But no money shall be withdrawn from the treasury in pursuance of the appropriations herein made excepting for the construction of buildings in accordance with the requirements of sections two thousand three hundred and fourteen to two thousand three hundred and thirty-two, both inclusive, of the General Code, so far as the same may be applicable thereto.

SECTION 3. The appropriations made by section 2 of this act shall take effect and be available on and after the first day of September, 1921, and shall be for the period of two years thereafter. The auditor of state is hereby authorized and directed to transfer from the general revenue fund to the educational building fund any moneys necessary to provide for expenditures in pursuance of such appropriations prior to the first semi-annual settlement of the tax levied by section 1 of this act and to reimburse the general revenue fund accordingly out of the proceeds of such settlement.

When appropriation available.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
Speaker of the House of Representatives.  
CLARENCE J. BROWN,  
President of the Senate.

Passed April 28, 1921.  
Approved May 17, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

185 G.

[Senate Bill No. 174.]

## AN ACT

To provide for the care, treatment, and education of crippled children, and in furtherance thereof to amend sections 1645, 1352-4, 1352-8, 1352-9, and 1352-10 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1645, 1352-4, 1352-8, 1352-9 and 1352-10 of the General Code be and the same are hereby amended so as to read as follows:

Sec. 1645. For the purpose of this chapter, the words "dependent child" shall mean any child under eighteen years of age who is dependent upon the public for support; or who is destitute, homeless or abandoned; or who has not proper parental care or guardianship, or who begs or receives alms; or who is given away or disposed of in any employment, service, exhibition, occupation or vocation contrary to any law of the state; who is found living in a house of ill fame, or with any vicious or disreputable persons or whose home, by reason of neglect, cruelty or depravity on the part of its parent, step-parent, guardian or other person in whose care it may be, is an unfit place for such child; or who is prevented from receiving proper education or proper physical, mental, medical or surgical examination and treatment because of the conduct, inability or neglect of its parents, step-parent,

"Dependent child" defined.

guardian or other person in whose care it may be; or whose condition or environment is such as to warrant the state, in the interest of the child, in assuming its guardianship.

Expenses paid  
by the board; by  
the county.

Sec. 1352-4. The actual traveling expenses of any dependent, neglected, crippled or delinquent child and of the agents and visitors of said board shall be paid from funds appropriated to said board, but the amount of board, if any, paid for the care of such child and the expense for providing suitable clothing and personal necessities, mental, medical, surgical, dental and optical examination and treatment, including massaging and other beneficial treatment and braces, artificial limbs and accessories and their upkeep and for the education when necessary of a crippled child, shall be charged by the board of state charities to the county from which such child was committed or transferred as provided in sections 1352-3, 1352-5 and 1352-8. The treasurer of each county, upon the warrant of the county auditor, shall pay to the treasurer of state the amount so charged upon the presentation of a statement thereof. The sum so received by the treasurer of state shall be credited to the fund appropriated for the purpose of maintaining the child placing work of the board.

Treatment for  
crippled chil-  
dren; applica-  
tion to juvenile  
court; copy of  
decree for-  
warded; notice  
to court.

Sec. 1352-8. In order to provide suitable medical and surgical treatment, and education when necessary, of crippled children whose parents or guardians fail or are financially unable to provide such treatment, the board of state charities is authorized and empowered to receive into its custody such children. Application for such care, treatment, and education, shall first be made to the juvenile court by a parent, guardian or some interested person. If such court is of the opinion that such child is in need of treatment and education, and finds that the parent or guardian fails to provide it, he may make an order to that end; or if the parent or guardian is financially unable to pay all or a part of the expense of such treatment, the court shall make a proper finding and decree. In either case the court shall at once forward a copy of the decree and a statement of facts to the board of state charities, and such board shall, when able to do so under this act, accept such child for care as hereinbefore provided. Upon receipt of notice from such board that such child can be given suitable treatment the court shall then commit such child to such board and provide for its conveyance in charge of a suitable person to the place designated by such board for treatment. The expenses for conveyance shall be paid by the county or by the parent or guardian as the court may direct. Such commitment shall be temporary and shall be only for the period necessary for the treatment of such child.

Expenses of  
keep and treat-  
ment, how paid.

Sec. 1352-9. The board of state charities shall arrange for the treatment and education of crippled children committed to it by the juvenile court. The expenses for board, clothing and personal necessities and for

mental, medical, surgical, dental, and optical examination and treatment, including massaging and other beneficial treatment and braces, artificial limbs and accessories and their upkeep, and for education when necessary shall be paid out of funds appropriated to the use of the board of state charities by the general assembly; but the board of state charities may require parents or guardians to pay the state for such expenses when in its judgment such action is just. Such board shall exercise close supervision over such crippled children while patients in such hospitals and may at any time terminate any contract so made when in its judgment such action should be taken. Each child shall be visited as frequently as necessary and proper by a representative of such board who shall prepare and present to the board a written report concerning the progress of such patient.

Supervision of children by board; visits; reports.

Sec. 1352-10. Whenever it appears that a crippled child has been successfully treated, or that it cannot be further benefited by such treatment, the board shall order its discharge and thereupon its guardianship and responsibility shall cease. After such a child has been in the care of the board of state charities in accordance with this act for more than one year the parent or guardian, with the approval of the juvenile court, may cause its release from the supervision of the board of state charities.

When child may be discharged or released.

SECTION 2. That original sections 1645, 1352-4, 1352-8, 1352-9 and 1352-10 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 27, 1921.  
Approved May 18, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.  
186 G.

[House Bill No. 287.]

## AN ACT.

To amend sections 1579-430, 1579-439, 1579-440, 1579-458 and to add supplementary sections 1579-423a, 1579-423b, 1579-440a, 1579-440b, 1579-440c, 1579-440d, 1579-440e, 1579-440f, 1579-440g of the General Code, relating to the municipal court of Massillon, Ohio.

*Be it enacted by the General Assembly of the State of Ohio.*

SECTION 1. That sections 1579-430, 1579-439, 1579-440, 1579-458 of the General Code be amended and supplementary sections 1579-423a, 1579-423b, 1579-440a, 1579-440b, 1579-440c, 1579-440d, 1579-440e, 1579-440f, 1579-440g be added to read as follows:

Return day in cases of forcible entry and detention; practice and procedure.

Sec. 1579-423a. In cases in forcible entry and detention, or the forcible detention only of real property, the return day shall be as provided by law in such actions before justices of the peace and the practice and procedure in such cases in the municipal court together with the time and manner of filing the bill of exceptions and petition in error to the common pleas court, shall be the same as in courts of justices of the peace.

Laws applicable in attachment proceedings.

Sec. 1579-423b. In actions where an order of attachment has been issued, the defendant shall have the same right to make a motion before the municipal judge to dissolve the attachment or release the property, money or credits attached or garnisheed as set out in section 10259 of the General Code of Ohio and shall have the same right of appeal to the court of common pleas as set out in section 10259 of the General Code. The practice and procedure upon such appeal shall in all respects be the same as provided in sections 10259 and 10260 of the General Code.

When trial shall be by jury; waiver.

Sec. 1579-430. All civil cases shall be tried to the court unless a trial by jury is demanded by a party, or the judge in the interest of justice on his own motion, orders a trial by jury. The time for making a demand for trial by jury may be fixed and limited by rule of court. In all civil actions where a jury is demanded, except as hereinafter provided, it shall be composed of six persons having the qualifications of electors, unless the parties agree on a less number; provided, however, that when the amount claimed by any party or the appraised value of the personal property sought to be recovered exceeds the sum of two hundred dollars, either party may demand a jury of twelve persons by specifying that number in said written demand. In all criminal actions in which the accused is entitled to a trial by jury, trial shall be by jury, unless a jury is waived in writing by the accused and the jury shall be composed of twelve persons having the qualifications of electors. In all civil actions the jury shall render a verdict upon the concurrence of three-fourths or more of their number.

Sec. 1579-439. The clerk of the municipal court shall keep at least seven books to be called the appearance docket, trial docket, journal, complete record, execution docket, city criminal record, state criminal record. He shall keep a direct index to the trial docket, journal, city criminal record and state criminal record and shall keep a direct and reverse index to the appearance docket, complete record and execution docket. Such records and such other records as shall be approved by the court shall be furnished said court by the city of Massillon, Ohio.

Books to be kept by clerk.

Sec. 1579-440. Proceedings in error may be taken to the common pleas court of Stark county from a final judgment or order of the municipal court in the same manner and under the same conditions as provided by law for proceedings in error from the common pleas court to the court of appeals, except as otherwise provided herein.

Proceedings in error to common pleas court.

Sec. 1579-440a. The bill of exceptions shall be filed with the clerk of the municipal court within twenty days after the rendition of the judgment or the making of the order complained of. On the filing of such bill of exceptions, the clerk forthwith shall notify the adverse party or his attorney of its filing. Within five days after such notice, any adverse party may file in the cause any objection or amendment he proposes to such bill for its correction. On the expiration of the time fixed for the filing of objections or amendments by the adverse party, or within five days thereafter, or immediately on the filing of the bill, with the consent of the adverse party to such transmission, indorsed thereon, the clerk shall transmit it, together with all objections and amendments filed thereto, to the trial judge. The trial judge on receipt of the bill, shall indorse the date it was received and within five days thereafter correct it, if necessary, allow and sign it immediately, transmit or cause it to be transmitted to the office of the clerk of the court from whom it was received. But if, when such bill is ready for transmission, the trial judge be absent from the city of Massillon, the bill, with all objections and amendments, shall be kept by such clerk until the return of the judge to whom such documents at once must be sent and who must act thereon as hereinbefore required, within five days from the receipt thereof, and thereupon immediately send such documents to the clerk's office.

Bill of exceptions; practice and procedure.

Sec. 1579-440b. The petition in error, except as otherwise herein provided or otherwise provided by law, shall be filed in the court of common pleas within thirty-five days after the rendition of the judgment or the making of the order complained of.

Petition in error filed within thirty-five days.

Sec. 1579-440c. In all cases not otherwise specially provided by law, either party may appeal from the final judgment of the municipal court to the court of common pleas of Stark county.

Appeal to common pleas court; cases not allowed.

Appeals in the following cases shall not be allowed:

1. On judgments rendered on confession or by default of the party or parties.

2. In actions wherein neither party claims in his statement of claim a sum exceeding three hundred dollars.

3. In all actions for forcible entry and detention or the forcible detention only of real property.

4. In actions or proceedings for trial of the right of property levied upon by execution or attached.

5. Upon exemptions determined or fixed by the trial judge.

When party  
appealing shall  
pay costs.

Sec. 1579-440d. If any party appealing from a judgment in his favor shall not recover a greater amount than the amount for which such judgment was rendered, besides costs and accèrued interest, he shall pay the costs of such appeal.

Appeal bond:  
when given.

Sec. 1579-440e. The party appealing must, within ten days after the rendition of the judgment, enter into a bond to the adverse party with at least one good and sufficient surety, either a freeholder owning real property situated in the city of Massillon or in Perry or Tuscarawas townships, or a corporation authorized to execute surety bonds in this state, to be approved by the clerk of the court, in a sum not less than fifty dollars in any case nor less than double the amount of the judgment and costs, conditioned that the appellant will prosecute his appeal to effect without unnecessary delay and that if on appeal judgment shall be rendered against him he will satisfy the judgment and costs.

When new  
bond given.

Sec. 1579-440f. When a surety in an appeal bond is insufficient or has removed from the state, or the appeal bond is insufficient, in form or amount, on motion, the court of common pleas may order its change or require that a new bond be given, with surety to be approved by the said court or its clerk. If such order is complied with, the cause shall be heard and determined as though the order had not been made, but otherwise the appeal shall be dismissed.

Transcript of  
proceedings.

Sec. 1579-440g. The clerk of the municipal court shall make and certify a transcript of the proceedings, including a transcript of the appeal bond, and on demand, after being paid the legal fee therefor, shall deliver the same to the appellant or his agent who shall deliver the same to the clerk of the court of common pleas of Stark county on or before the thirtieth day from the rendition of the judgment appealed from. The clerk of the municipal court shall also deliver or transmit the statement or statements of claims or claim, the depositions, evidence and all other original papers, if any, used on the trial in the municipal court, to such clerk on or before the thirtieth day from the judgment, and all other proceedings of the municipal court in that case shall cease and be stayed from the time of entering into the appeal bond. In such case the clerk and the bailiff of the municipal court shall turn over any moneys or property held by them in the action



to the clerk or sheriff, respectively, of Stark county, to be by them held as in like cases originating in the court of common pleas. If for any reason the cause is not heard and determined by the appellate court or if the appeal is dismissed by the appellate court or judgment is rendered against the appellant, the surety on the appeal bond shall be liable to the appellee for the whole amount of the debt, costs and damages recovered, against the appellant not to exceed the amount of the bond.

Sec. 1579-458. The judge of the municipal court shall be subject to the same disabilities and may be removed from office for the same causes as a judge of the court of common pleas. He shall not, during his term of office, practice law or give legal advice or be associated with another in the practice of law. Neither the judge nor clerk nor other employee of said court shall take or prosecute any claim or claims, or any cause of action whatsoever, nor defend the same, and neither he nor they shall accept any fee or gratuity whatsoever on account of services rendered or to be rendered in said court. The judge so doing shall be subject to impeachment and the employees, summary dismissal. The vacancies arising from any cause except as herein provided shall be filled by appointment by the governor of the state.

Removal from office; judge not allowed to practice law.

SECTION 2. That original sections 1579-430, 1579-439, 1579-440 and 1579-458 of the General Code be, and the same are hereby repealed.

Repeals.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D., 1921.

187 G.

[House Bill No. 252.]

## AN ACT

To authorize the city of Logan, Hocking county, Ohio, to enter upon, improve and occupy a portion of the Hocking canal for sewerage and drainage purposes.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the portion of the Hocking canal situated within the corporate limits of the city of Logan, Hocking county, Ohio, be and the same is hereby vacated and abandoned for canal purposes.

Abandonment of Hocking canal in city of Logan.

Authority to improve; power to sell unused portion.

SECTION 2. That there is hereby granted to said city of Logan the authority and permission to enter upon, improve and occupy forever, for sewerage and drainage purposes, that portion of the Hocking canal situated within the corporate limits of said city.

Provided, however, that said city shall have the right to dispose of any portion of said canal that is not so occupied and used, or required for the purposes aforesaid, in such manner, as said city of Logan, Ohio, by its duly constituted authorities shall determine; provided, however, that in the sale or disposition thereof, the owners of property abutting thereon shall have the first right and option to purchase the same.

When portion may revert to state.

Provided further that any portion of the said abandoned canal property that is not so used or occupied, as aforesaid, or disposed of by said city, as aforesaid, at the end of ten years from the date of the passage of this act shall immediately revert to the state of Ohio; and provided further that if at any time the state of Ohio shall have an opportunity to lease a right of way over the abandoned Hocking canal property between Lancaster, Ohio, and Nelsonville, Ohio, it may include a right of way over the canal property herein conveyed even though the same is used for sewerage and drainage purposes, or has been disposed of as aforesaid, unless said city of Logan shall provide another practicable right of way, approvable by the state of Ohio over and through said city, upon such terms as said state may accept in lieu thereof.

Relinquishment of title by state.

SECTION 3. That whatever title and interest remains in the state of Ohio in that part of the Hocking canal vacated and abandoned by section 1 of this act are hereby relinquished, transferred and conveyed to the said city of Logan, Ohio.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.  
Approved May 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 18th day of May, A. D. 1921.

188 G.

[Senate Bill No. 45.]

## AN ACT

To authorize the superintendent of public works subject to the approval of the governor and attorney general to sell to the present lessee certain state lands in the city of Toledo, Lucas county, Ohio, and to authorize the cancellation of the existing lease.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The superintendent of public works, subject to the written approval of the governor and attorney general, is hereby authorized to sell at private sale to the present lessee the following described real estate:

Sale of certain  
state lands in  
Toledo author-  
ized.

Situated in the city of Toledo, Lucas county, Ohio, bounded and described as follows: A strip of ground seven (7) feet in width off of the northerly side of that part of the berme bank of the Miami and Erie Canal, commonly known as the Toledo Side Cut, extending from the easterly line of St. Clair Street to the easterly line of lot Number Ninety-eight (98) extending northerly, of Olivers Division to the City of Toledo, between the northerly line of said canal and southerly of said point where the City of Toledo excavated said Miami and Erie Canal for the State of Ohio, and more fully described upon survey plat of the same recorded on page 20 of Vol. 1 of the Determination of Boundary lines of State Canal Property on file in the office of the Department of Public Works, at Columbus, Ohio.

SECTION 2. As a part of the consideration for the sale of these lands the said The Toledo Builders Supply Company or their successors or assigns shall maintain at its own expense a substantial dock wall for the protection of the berme embankment along said water course and the deed conveying said property shall contain a clause making such provision.

SECTION 3. As a preliminary to such sale, the superintendent of Public Works shall appraise said land not as subject to said lease, but at its full and true value in money, regarding it as unincumbered and if such appraisalment is satisfactory to the governor and attorney general and provided that said real estate is sold to the present lessee at said appraised value thereof, upon payment of purchase money into the state treasury, a proper deed thereof on behalf of the state of Ohio shall be duly drafted, executed, signed, countersigned, sealed, recorded and delivered to the purchaser and a record be kept of the delivery thereof all as provided in the section 8523 of the General Code.

SECTION 4. Upon the assent of the said lessee which shall be given by his payment of the purchase money hereunder and upon the execution and delivery of the deed of the said land in return for the purchase money as afore-

This act is not  
of a general and  
permanent na-  
ture and requires  
no sectional  
number.  
JOHN G. PRICE,  
Attorney  
General.

said, the superintendent of public works is hereby author-  
ized to cancel the existing lease of said land.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved May 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

189 G.

[House Bill No. 383.]

## AN ACT

To make supplementary appropriations for the remainder of the cur-  
rent fiscal year.

Supplementary  
appropriations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The sums set forth in section 2 of this act, in the columns therein designated "Appropriations" are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations enumerated in such sections for departments, boards, Commissions, bureaus, institutions, and offices, for the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, insofar as such funds are subject by law to appropriation and expenditure for the purposes therein mentioned, and to the extent that the monies to the credit of such specific funds on the date of the passage of this act, or which may be credited thereto prior to June 30th, 1921, shall be sufficient to satisfy such appropriation.

SECTION 2. The following sums shall not be expended to pay liabilities incurred subsequent to June 30th, 1921:

### OHIO BOARD OF ADMINISTRATION.

Maintenance—	Items Appropriations
E. Equipment—Replacement—	
E 4. Livestock—	
To replace tubercular cattle—	
Toledo State Hospital.....	\$10,000 00

## OHIO BOARD OF AGRICULTURE.

Supplementary  
appropriations.

## Personal Service—

A 2. Wages..... \$3,000 00

## Maintenance—

## F. Contract and Open Order Service—

F 6. Traveling Expense..... \$5,000 00

## H. Fixed Charges and Contributions—

## H 8. Contributions—

State share of pay due  
owners of tubercular  
cattle killed accord-  
ing to law..... 75,000 00

Total Maintenance..... \$80,000 00

Total..... \$83,000 00

## OHIO ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

## Maintenance—

## F. Contract and Open Order Service—

F 4. Light, Heat and Power..... \$1,000 00

## BOARD OF STATE CHARITIES.

## Maintenance—

## F. Contract and Open Order Service—

F 6. Traveling Expense..... \$3,500 00

## BUREAU OF VITAL STATISTICS.

## Maintenance—

## H. Fixed Charges and Contributions—

H 6. Rent..... \$211 69

THE COMBINED NORMAL AND INDUSTRIAL DEPARTMENT OF  
WILBERFORCE UNIVERSITY.

## Personal Service—

A 2. Wages—Extra Labor..... \$200 00

## Maintenance—

## F. Contract and Open Order Service—

F 6. Traveling Expense..... \$250 00

F 9. General Plant..... 400 00

Total..... \$650 00

Total Maintenance..... 650 00

Total..... \$850 00

## State aid for weak school districts—

## For equalization of educational advant-

ages..... \$100,000 00

## Joint Legislative Committee—

Supplementary  
appropriations.

Unpaid expenses of committee on salaries  
of State Employees, S. J. R. No. 62,  
83rd General Assembly, settlement in  
full as follows:

Senator Thos. W. Jones.....	\$78 65
Senator Carl V. Beebe.....	45 56
Senator W. M. Miller.....	137 53
Representative H. D. Silver.....	67 70
Representative F. L. Lytle.....	72 02
Secretary Paul Bainter.....	55 91

## Ohio Senate—

Rev. E. S. Matheny, Chaplain of Ohio  
Senate, for services in full..... 300 00

## Department of Securities—

Maintenance (C 4) Office..... 300 00  
Contract and Open Order Service (F 6)... 3,000 00  
Fixed Charges (H 6) Rent..... 345 00

SECTION 3. Sections 4, 6, 7, 8, 9 and 11, of a law entitled "An Act to make general appropriations" (108 O. L. page 733) passed by the 83rd General Assembly and filed in the office of the secretary of state June 30, 1919, shall apply to and govern the appropriations made herein with the same force and effect as to the appropriations made to said original act hereinbefore cited.

This act is not  
of a general and  
permanent na-  
ture and requires  
no sectional  
number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

Approved May 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 18th day of May, A. D. 1921.

190 G.

[Senate Bill No. 100.]

## AN ACT

Providing for joint city and rural high schools, for legal dissolution of joint high schools, inclusion of interest and depreciation allowances in computing tuition charges, and disposal of tuition fees collected; and to such ends enacting supplementary sections to section 7671, General Code, to be designated as sections 7671-1, and 7671-2, and amending sections 7669, 7672, 7682, 7736, and 7747 of the General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That supplementary sections to be designated as sections 7671-1 and 7671-2 of the General Code are hereby enacted, and that sections 7669, 7672, 7682, 7736, and 7747 are hereby amended to read as follows:

Sec. 7669. The boards of education of two or more adjoining school districts, by a majority vote of the full membership of each board, may unite such districts for high school purposes. Each board also may submit the question of levying a tax on the property in their respective districts for the purpose of purchasing a site and erecting a building, and issue bonds, as is provided by law in case of erecting or repairing school houses; but such question of tax levy must carry in each district before it shall become operative in either. If such boards have sufficient money in the treasury to purchase a site and erect such building, or if there is a suitable building in either district owned by the board of education that can be used for a high school building it will not be necessary to submit the proposition to vote, and the boards may appropriate money from their funds for this purpose.

Union of districts for high school purposes; tax levy; submission of question.

Sec. 7671-1. In the case of every joint high school established and operating under the authority of sections 7669, 7670 and 7671, General Code, the county superintendent of schools shall certify on or before the first day of August of each year the teachers' payroll, the aggregate days of attendance, and the personal service item of transportation costs in connection with such high school to the county auditor, who shall distribute the apportionments on account of teachers' salaries, aggregate days of attendance, and transportation of pupils in such high school as provided for in section 7600, General Code, to the school district in which it is located. The clerk of the board of education of said district upon receipt of such distribution shall draw a warrant for the amount of the same, countersigned by the president of the board of education, in favor of the treasurer of the joint high school committee. The amount so received by the treasurer of the high school committee shall be credited on his books to the districts on the basis of the proportional enrollment in the joint high school from each of the districts participating in support of the same.

Certification of teacher' pay roll, etc.

Distribution of apportionment or account of teachers' salaries, etc.

Dissolution of  
union high  
school districts;  
procedure.

Sec. 7671-2. Any union of districts for high school purposes as provided in sections 7669, 7670, 7671 and 7671-1, General Code, may be dissolved upon passage of resolutions by one or more of the boards of education of the school districts participating in such union demanding such dissolution, or upon failure of any one or more of the said boards of education to pay their proportion of the maintenance of the joint high school, provided that during the continuance of such union the obligations, financial and otherwise, involved in the acts of the joint high school committee shall be binding upon each and all of the participating districts. In the event of failure of the boards of education of the participating districts to agree upon the terms of dissolution of the union of districts referred to in the first part of this section, or when such boards of education fail, within sixty days from the time when dissolution has been resolved upon to effect a settlement of property interests and indebtedness involved in the establishment and maintenance of the joint high school in the case, the county board of education of the county in which such joint high school is located shall make such adjustments as may in its judgment be deemed equitable, and the terms of settlement fixed by the said county board of education shall be binding upon the several school districts concerned.

Certification to  
county auditor  
of estimates to  
maintain schools.

Sec. 7672. Boards of education exercising control for the purpose of taxation over territory within a joint high school district shall determine by estimate the amount necessary for the maintenance of any joint school in such territory and shall certify such amount to the county auditor in the annual budget as provided in section 5649-3a, General Code. All funds derived from levies so made shall be kept separate and be paid out for the maintenance of the school for which they were made.

How per capita  
tuition ascer-  
tained and  
paid.

Sec. 7736. Such tuition shall be paid from either the tuition or the contingent fund, and the amount per capita must be ascertained by dividing the total expenses of conducting the elementary schools of the district attended, exclusive of permanent improvements and repairs, said total expenses to include interest charges not exceeding five per cent per annum and depreciation charges not exceeding five per cent per annum, based upon the actual value of all property used in conducting said elementary school by the net annual enrollment in the elementary schools of the district, such amount to be computed by the school month. In computing such total expenses of conducting the elementary schools of such district the amount of the state common school fund and the proceeds of the state school levy retained in the county, apportioned to such district on account of teachers and other persons employed in such elementary schools, the amount of said state common school fund apportioned thereto on account of transportation of pupils, and the amount of such funds apportioned thereto on account of



aggregate days of attendance of pupils shall be deducted from the gross expenses of conducting such schools. An attendance any part of a school month will create a liability for the whole school month. Unless the annual school session is terminated before the end of a full school month.

Sec. 7747. The tuition of pupils who are eligible for admission to high school and who reside in districts in which no high school is maintained, shall be paid by the board of education of the school district in which they have legal school residence, such tuition to be computed by the school month. An attendance any part of the school month shall create a liability for the entire school month, unless the annual session is terminated before the end of a full school month. No more shall be charged per capita than the amount ascertained by dividing the total expenses of conducting the high school attended, exclusive of permanent improvements and repair, said total expenses to include interest charges not exceeding five percent per annum and depreciation charges not exceeding five percent per annum, based upon the actual value of all property used in conducting such high school, by the net annual enrollment in the high school.

When tuition paid by board of education.

In computing such total expenses of conducting such high school the amount of the state school levy retained in the county apportioned to such district on account of teachers and other persons employed in such high school, the amount of said common school fund apportioned thereto on account of transportation of high school pupils and the amount of such funds apportioned thereto on account of aggregate days of attendance of high school pupils shall be deducted from the gross expenses of conducting such school.

How expenses computed.

The district superintendent shall certify to the county superintendent each year the names of all pupils in his supervision district who have completed the elementary school work and are eligible for admission to high school. The county superintendent shall thereupon issue to each pupil so certified a certificate of promotion which shall entitle the holder to admission to any high school. Such certificate shall be furnished by the superintendent of public instruction.

Certification of pupils eligible to high school.

Sec. 7682. Each board of education may admit other persons upon such terms or upon the payment of such tuition within the limitations of other sections of law as it prescribes. Notwithstanding the provisions of section 7603, General Code, money received for tuition shall in all cases upon its receipt be placed in the tuition fund.

Non-resident pupils admitted on payment of tuition.

SECTION 2. The original sections 7669, 7672, 7736, 7747, and 7682 are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 28, 1921.

Approved May 17, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 19th day of May A. D., 1921.

191 G.

[House Bill No. 111.]

## AN ACT

To amend sections 7690, 7762, 7763 to 7766 inclusive, 7766-1, 7767, 6250, 7769 to 7774 inclusive, 7777, 7778, 7780, 7781, 7794 to 7799 inclusive, 7800, 7803, 12929, 12974 to 12988 inclusive, 12993, 12995, 12998, 12999, 13007-1, 13007-7, 13007-8, 13007-9, 13007-10 and 13007-14, General Code, to add supplementary sections 7647-1, 7690-1 7762-5, 7762-6, 7763-1 to 7763-4 inclusive, 7764-1, 7764-2, 7765-1, 7765-2, 7766-2 to 7766-9 inclusive, 7767-1, 7767-2, 7769-1, 7769-2, 7770-1 to 7770-4 inclusive, 7772-1, 7773-1, 7773-2, 7775, 7796-1, 7799-2, 12982-1 and 12993-1 to the General Code, and to repeal section 7768, 7776, 7779, 7782, 7783, 12994, 13006, 13007-2 and 13007-11, General Code, relating to duties of boards of education, and to compulsory education, the employment of minors, the establishment of part-time schools, the school census, and penalties for violations of laws relating thereto.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 7690, 7762, 7763 to 7766 inclusive, 7766-1, 7767, 6250, 7769 to 7774 inclusive, 7777, 7778, 7780, 7781, 7794 to 7799 inclusive, 7800, 7803, 12929, 12974 to 12988 inclusive, 12993, 12995, 12998, 12999, 13007-1, 13007-7, 13007-8, 13007-9, 13007-10 and 13007-14 of the General Code be amended, and that sections 7647-1, 7690-1, 7762-5, 7762-6, 7763-1 to 7763-4 inclusive, 7764-1, 7764-2, 7765-1, 7765-2, 7766-2 to 7766-9 inclusive, 7767-1, 7767-2, 7769-1, 7769-2, 7770-1 to 7770-4 inclusive, 7772-1, 7773-1, 7773-2, 7775, 7796-1, 7799-2, 12982-1 and 12993-1 of the General Code be added to read as follows:

Maintenance of part time schools or classes; how conducted; expense.

Sec. 7647-1. The board of education of any school district may establish and maintain part-time schools or classes for the further education of children who are employed on age and schooling certificates. Such schools and classes shall be conducted not fewer than four hours per week while in session, and for not fewer than one hundred forty-four hours per calendar year between the hours of seven in the morning and six in the afternoon, excluding

Saturday afternoon and Sunday. Such schools and classes shall be conducted under such standards as the superintendent of public instruction may prescribe. Boards of education shall have power to provide for the expense of such schools and classes the same as for the expense of ordinary elementary schools.

Sec. 7690. Each city, village or rural board of education shall have the management and control of all of the public schools of whatever name or character in the district, except as provided in laws relating to county normal schools. It may elect, to serve under proper rules and regulations, a superintendent or principal of schools and other employes, including, if deemed best, a superintendent of buildings, and may fix their salaries.

Control of school  
vested in board;  
powers and  
duties.

Provided, that if the board has adopted an annual appropriation resolution, as provided by section 4752-1, General Code, it may, by general resolution, authorize the director or other officer having the powers and duties of a director to appoint janitors, superintendents of buildings and such other employes as may be provided for in such annual appropriation resolution.

Sec. 7690-1. Each board of education shall fix the salaries of all teachers which may be increased but not diminished during the term for which the appointment is made. Teachers must be paid for all time lost when the schools in which they are employed are closed owing to an epidemic or other public calamity.

Salaries of  
teachers how  
fixed and paid.

Sec. 7762. All parents, guardians or other persons who have the care of children who are of compulsory school age as indicated in section 7763, General Code, and who are not employed on age and schooling certificates shall instruct them, or cause them to be instructed, in reading, spelling, writing, the English language, English grammar and composition, geography, arithmetic, United States history, American government and citizenship, and hygiene, or in such of those branches or in such other branches as are suited to the age, employment and advancement of the particular children and are included in the subjects taught in the schools of the state.

Branches in  
which children  
shall be in-  
structed.

Sec. 7762-5. All parents, guardians and other persons who have the care of children who are employed on age and schooling certificates shall cause them to attend a part-time day school or class for the full time that the school or class is in session whenever such part-time school or class shall have been established and is accessible to the child in the district where the child resides or is employed, unless the superintendent of schools determines that a given child has already completed the same work as or work equivalent to that taken up in such part-time schools or classes as may be available for the child to attend or that the bodily or mental condition of the child does not permit of his attendance at such school or class.

Children em-  
ployed on age  
and schooling  
certificates, shall  
attend a part-  
time day school  
or class.

Such attendance shall begin within the first week of

the school term or within one week after an age and schooling certificate is issued to a child.

Jurisdiction  
when child em-  
ployed in one  
district and re-  
sides in another.

If a child resides in one school district and is employed in another he shall be under the jurisdiction of the district in which he is employed for the purpose of this section and section 7767, General Code, unless by written excuse the superintendent of schools releases him to the jurisdiction of the district in which he resides.

Who shall attend  
school.

Sec. 7762-6. Every child of compulsory school age who is not employed on an age and schooling certificate shall attend a public, private or parochial school under the conditions prescribed in sections 7763, 7763-1, 7764 and 7764-1, General Code.

School  
attendance.

Sec. 7763. Every parent, guardian or other person having charge of any child of compulsory school age who is not employed on an age and schooling certificate must send such child to a public, private or parochial school for the full time the school attended is in session, which shall in no case be for less than thirty-two weeks per school year. Such attendance must begin within the first week of the school term or within one week of the date at which the child begins to reside in the district or within one week after his withdrawal from employment.

When child may  
be excused;  
home teaching  
requirements.

But the child may be excused from attendance at school for the current school year upon satisfactory showing that the bodily or mental condition of the child does not permit of its attendance at school or that the child is being instructed at home by a person qualified to teach the branches specifically enumerated in section 7762, General Code, and if the stage of advancement of the child demands it, qualified to teach such additional branches as his needs may require. The qualifications of the person purposing to teach such child at home shall be determined by the superintendent of schools. Excuses from school attendance under this section or section 7762-5, General Code, shall be given only by the superintendent of schools having jurisdiction in the district in which the child is living. Such excuse shall be in writing; a copy shall be given to the person in charge of the child; such excuse shall show the reason for excusing the child, and there shall be filed in the office of the superintendent issuing same, with a copy of the excuse, papers showing how the inability of the child to attend school or the qualifications of the person instructing the child at home were determined. Should it be found later within the school year that the disability of the child has been removed or that the child is not being properly instructed, as the case may be, it becomes the duty of the person who issues the excuse or of his successor to recall the same; or notwithstanding his neglect to do so the child and the persons in charge of the child may be proceeded against after due notice the same as if the excuse were no longer current.

Compulsory  
school age de-  
fined.

Compulsory school age shall mean six to eighteen years of age, except that the board of education of any city,

village or rural school district may at its discretion provide that in the given school district compulsory school age shall mean seven to eighteen years of age, such action being subject to modification to the standard of six to eighteen years of age by subsequent action of the board, and except that the attendance of a child who becomes six or seven years of age, as the case may be according to the standard of compulsory school age in effect in the given district, during a given semester shall not be required until the beginning of the following semester.

Sec. 7763-1. If any child shall so attend upon instruction elsewhere than in a public school such instruction shall be equivalent to the instruction given children of like age and advancement in the public schools of the district in which such child resides; and the hours and term of attendance exacted shall be equivalent to the hours and term of attendance required of children in the public schools of the district. But nothing in this section shall be construed to require a child to attend a high school instead of a vocational, commercial or other special type of school, provided the instruction therein is for a term and for hours equivalent to those of the high school, and provided his attendance at such school will not interfere with a continuous program of education for the child to the age of sixteen.

Requirements when child instructed elsewhere than in public school.

Sec. 7763-2. The registration of a child in or about the month of September when regular school sessions begin or at the time thereafter that he begins to reside in the district shall be a registration for the period until the next annual registration, if the child continues to reside in the district. Boards of education may provide or approve, subject to the approval of parents, activities for children during the summer vacation period which will promote their health, their civic and vocational intelligence, their industry, recreation, character or thrift or several of these. The superintendents of schools shall cause records to be kept of such activities assigned and completed. With the approval of the superintendent of public instruction the successful completion of such vacation activities may be required for promotions and diplomas of graduation; but the completion by any child of such vacation activities shall not be a prerequisite to the issuance of an age and schooling certificate for such child. Boards of education shall provide the service necessary to direct such activities and may pay any necessary expenses incident thereto, the same as the expense of an ordinary elementary school.

Provisions for health activities of children during vacation period; record of activities.

Sec. 7763-3. The term superintendent of schools as used in this chapter shall be interpreted to mean, in the respective classes of school districts, the city, exempted village or county superintendent of schools, or person designated by such superintendent; provided that if at any time there is no such superintendent in a given district the president of the board of education shall perform these duties.

The term "superintendent of schools" defined.

**Appeal when  
excuse or cer-  
tificate is re-  
fused.**

Sec. 7763-4. In case such superintendent of schools refuses to excuse a child from attendance at school for one of the reasons stated in section 7763, General Code, or refuses upon request to grant an age and schooling certificate as provided in section 7766, General Code, an appeal may be taken from such decision to the judge of the juvenile court of the county, upon the giving of bond, within ten days thereafter, to the approval of such judge, to pay the costs of appeal. His decision in the matter shall be final.

**Assignment of  
pupil to classes;  
when transporta-  
tion furnished.**

Sec. 7764. The child in his attendance at school shall be subject to assignment by the principal of the private school or superintendent of schools as the case may be, to the class in elementary school, high school or other school, suited to his age and state of advancement and vocational interest, within the school district; or, if the schooling is not available within the district, without the school district, provided the child's tuition is paid and provided further that transportation is furnished in case he lives more than two miles from the school, if elementary, or four miles from the school, if a high school or other school. The board of education of the district in which the child lives shall have power to furnish such transportation.

**Work in high  
school branches  
shall be provid-  
ed within four  
miles.**

Sec. 7764-1. Boards of education shall provide work in high school branches, as mentioned in section 7648, General Code, at some school within four miles of the residence of each such child for those children of compulsory school age who have finished the ordinary grade school curriculum except those who live within four miles of a high school and those for whom transportation to a high school has been provided.

**When child not  
compelled to at-  
tend school.**

Sec. 7764-2. If a child of compulsory school age has been graduated from a high school of the first grade such child shall not be required longer to attend school.

**Age and school-  
ing certificate of  
minor employed;  
filing of by  
employer.**

Sec. 7765. No minor of compulsory school age shall be employed or be in the employment of any person, company or corporation unless such minor presents to such person, company or corporation the proper age and schooling certificate, or age and preemployment card as a condition of employment. Such employer shall keep the same on file in the establishment where such minor is employed or in the office of the business or in the residence in or about which such minor is employed for inspection by attendance officers, probation officers, the superintendent of schools, or inspectors or other employees of the industrial commission or the board of state charities of Ohio, or representatives of the district board of health or state department of health.

Such certificate or an over age certificate or age and preemployment card shall be conclusive evidence for such employer of the age of such minor and so long as in force of the employer's right to employ such minor the minor's right to engage in such occupations as are not denied by law to minors of the age and sex stated in such certificate, ex-

cept that a limited or special certificate is confined to particular employments.

Notice to the school authorities that the child has left the employ of an employer shall render void from that date the age and schooling certificate or age and preemployment card filed with such employer, insofar as it shall permit the further employment of such child.

Sec. 7765-1. The parent or guardian of a child of compulsory school age shall be required to secure and keep on file the proper age and schooling certificate of his child or ward if such child or ward is employed by him and shall be required to return such certificate as provided in section 7766-1, General Code, but a parent or guardian shall not be required to secure and keep on file a special or vacation certificate of his child or ward that such child or ward may be employed by him personally when school is not in session.

Age and schooling certificate of child kept on file by parent or guardian, when.

Sec. 7765-2. Notwithstanding the provisions of sections 7765 and 12993, General Code, a child may be employed in irregular service not forbidden by sections 13001, 13002 or 13007-3, General Code, without holding an age and schooling certificate.

Employment in irregular service not forbidden.

Irregular service shall be interpreted to mean service not forbidden by federal child labor laws which (a) does not involve confinement, (b) does not require continuous physical strain, (c) is interrupted with rest or recreation periods, and (d) does not require more than four hours of work in any day or twenty-four hours in any week. The health commissioner of the district in which employment is afforded to any child shall determine whether the employment involves confinement or requires continuous physical strain so that it cannot be deemed irregular service within the meaning of this section.

Sec. 7766. An age and schooling certificate may be issued only by the superintendent of schools and only upon satisfactory proof that the child to whom the certificate is issued is over sixteen years of age and has satisfactorily passed a test for the completion of the work of the seventh grade, provided that residents of other states who work in Ohio must qualify as aforesaid with the proper school authority in the school district in which the establishment is located, as a condition of employment or service.

Who may issue age and schooling certificates.

Any such age and schooling certificate may be issued only upon satisfactory proof that the employment contemplated by the child is not prohibited by any law regulating the employment of such children; and when the employer of any minor for whom such age and schooling certificate shall have been issued shall keep such age and schooling certificate on file as provided by law, the provisions of section 6245-2, General Code, shall not apply to such employer in respect to such child while engaged in an employment legal for a child of the given sex and of the age stated therein.

When certificates may be issued; by whom signed.

Age and schooling certificate forms shall be formulated by the superintendent of public instruction, and except in cases otherwise specified by law must be printed on white paper. Every such certificate must be signed in the presence of the officer issuing it by the child in whose name it is issued. Blank certificates shall be furnished by the superintendent of public instruction upon request.

Requirements  
before issuing  
certificate.

Sec. 7766-1. The superintendent of schools shall not issue such certificate until he has received, examined, approved and filed the following papers duly executed:

(1) The written pledge or promise of the person, partnership or corporation to legally employ the child, to permit him to attend school as provided in section 7767, General Code, and to return to the superintendent of schools the age and schooling certificate of the child or give notice of the non-use thereof within two days from the date of the child's withdrawal or dismissal from the service of that person, partnership or corporation, giving the reasons for such withdrawal or dismissal.

(2) The school record of the child, properly filled out and signed by the person in charge of the school which the child last attended; giving the recorded age of the child, his address, standing in studies, rating in conduct, and attendance in days during the school year of his last attendance, and if that was not a full year, during the preceding school year.

(3) Evidence of the age of the child as follows:

(a) The birth certificate of the child (or duly attested transcript thereof) issued near the date of the birth of the child by the registrar of vital statistics of Ohio, or by a similar officer charged with the duty of recording births in another state or country, shall be conclusive evidence of the age of the child.

(b) In the absence of such certificate, a passport (or duly attested transcript thereof) showing the date and place of birth of the child, filed with a register of passports at a port of entry of the United States; or a duly attested transcript of the certificate of birth or baptism or other religious record, showing the date and place of birth of the child, shall be conclusive evidence of the age of the child.

(c) In case no one of the above proofs of age can be produced, other documentary evidence (except the affidavit of the parent, guardian or custodian) satisfactory to the superintendent of schools may be accepted in lieu thereof.

(d) In case no documentary proof of age can be procured, the superintendent may receive and file an application signed by the parent, guardian or custodian of the child that a physician's certificate be secured to establish the sufficiency of the age of the child. Such application shall state the alleged age of the child, the place and date



of birth, his present residence, and such further facts as may be of assistance in determining the age of the child, and shall certify that the person signing the application is unable to obtain any of the documentary proofs specified in (a), (b) and (c) above.

If the superintendent of schools is satisfied that a reasonable effort to procure such documentary proof has been without success such application shall be granted and the certificate of the school physician or if there be none, of a physician employed by the board of education, that said physician is satisfied that the child is above the age required for an age and schooling certificate as stated in section 7766, General Code, shall be accepted as sufficient evidence of age.

(4) A certificate from the school physician or physician designated by him, or if there be no school physician from the district health commissioner, or physician designated by him, showing after a thorough examination that the child is physically fit to be employed in such occupations as are not prohibited by law for a boy or girl, as the case may be, under eighteen years of age.

But a certificate with the word limited written, printed or stamped diagonally across its face may be furnished by the school physician or other person indicated in the above sentence, and accepted by the superintendent of schools in issuing a "limited" age and schooling certificate provided in section 7766-3, General Code, showing that the child is physically fit to be employed in some particular occupation not prohibited by law for a boy or girl as the case may be of the child's age which the child contemplates entering even if the child's complete physical ability to engage in any occupation as required in the preceding sentence cannot be vouched for.

Sec. 7766-2. When an age and schooling certificate, returned according to section 7766-1, General Code, is re-issued, the pledge of the new employer and certificate from the school physician or other person in his stead shall be secured and filed.

What required on reissue.

Sec. 7766-3. The age and schooling certificate provided in section 7766, General Code, shall be issued only with the word "limited" printed or stamped diagonally across its face if the certificate of the physician provided in section 7766-1 or 7766-2, General Code, is a limited certificate and in that case the particular employment to which it is limited shall be stated in the certificate, and the certificate cannot serve as the legal age and schooling certificate for employment in another occupation. Such limited certificate shall be printed on pink paper.

When the word "limited" shall be written on face of certificate.

Sec. 7766-4. In order to ascertain whether applicants for age and schooling certificates have satisfactorily completed the school work prescribed in section 7766, General Code, the board of education of any city school district may appoint a juvenile examiner who shall receive such

Examination to determine whether applicant has completed school work.

compensation as may be fixed by the board of education. When such a juvenile examiner is employed no such certificate shall be granted by the superintendent of schools of the district unless the juvenile examiner has certified that he has examined the child and that the child has passed to his satisfaction the grade test as provided by section 7766, General Code, provided, however, that if a child in the opinion of said juvenile examiner is below the normal in mental development so that he cannot with further schooling and due industry pass such test, such fact shall be certified to by said examiner and the superintendent of schools shall grant the child an age and school certificate printed on yellow paper with the words "Retarded-Schooling not Standard" written, printed or stamped diagonally across the face; and provided, further, that if the juvenile examiner is satisfied that the standard of any school is sufficiently high, he may accept the records thereof as showing that a child has passed the required test. In case no juvenile examiner is employed the superintendent of schools may proceed and determine in like manner; if after proper tests he determines that a child is below normal in mental development to the extent specified above, he shall grant such a "retarded" age and schooling certificate. If a child who desires an age and schooling certificate is granted a "retarded" certificate but secures only a limited health certificate; the word "limited" shall be written or stamped across the face of the "retarded" certificate and the limited "retarded" certificate shall be on yellow paper; in which case the certificate shall show to what employment it is limited.

Record of facts contained in certificates must be kept.

Sec. 7766-5. A record giving all the facts contained in every age and schooling certificate issued shall be kept on file in the office issuing the same; and also a record of the names and addresses of the children to whom certificates have been refused, together with the names of the schools and grades which such children should attend and the reasons for the refusals; and also a record of all certificates returned or no longer used, as provided in sections 7766-1, (1), 7766-6 or 7766-9, General Code, with the reasons therefor, and the subsequent assignment of the child to a school, if any; and also a record of the conditions on which any certificates were issued, and there shall be kept on file also the pledges given in connection therewith; and also a record of the special facts connected with the issuing of "retarded" or limited certificates. The superintendent of public instruction shall have the power to prescribe methods of filing of all such facts, records and papers, for purposes of effective reference. The above-named record is nevertheless not required in the cases of certificates denied to those determined immediately at the time of inquiry to be of insufficient age.

Vacation certificates, issue of; how printed.

Sec. 7766-6. The superintendent of schools may issue a vacation certificate to a boy or girl under eighteen years

of age and over fourteen years of age which shall permit him to be employed within the restrictions of other statutes during the summer school vacation up to August 25th, in occupations not forbidden by sections 13001, 13002 or 13007-3, General Code, to children of his age and sex, regardless of what schooling he has completed, but before such certificate is issued the requirements prescribed in section 7766-1 with relation to health, written pledge of employment, and proof of age must be complied with. Such vacation certificate shall be printed on blue or blue-tinted paper and the word "vacation" shall be printed or stamped across its face; such certificate shall include a statement of the school and grade in which the child is enrolled. Such certificates must be returned to the superintendent of schools by employers within the same period and under the same penalties as regular age and schooling certificates and may be revoked by the superintendent of schools at any time because of the physical condition of the child or other sufficient cause.

If a child who desires a vacation age and schooling certificate secures only a limited health certificate the word "limited" shall be written or stamped across the face of the vacation certificate and the limited vacation certificate shall be on blue or blue-tinted paper; in which case the certificate shall show to what employment it is limited.

Sec. 7766-7. Whenever the school record of a child as specified in section 7766-1, General Code, is required for the purpose of determining his eligibility to an age and schooling certificate, such record shall be furnished by the superintendent, principal, teacher or other official in charge of the public, private or parochial school attended by the child within two days after a request for the same is made by the parent, guardian or custodian of the child.

School record of  
child furnished.

Sec. 7766-8. Whenever an age and schooling certificate is applied for by a child over sixteen years of age who is unable to satisfactorily pass a test for the completion of the work of the seventh grade and who is not so below the normal in mental development that he cannot with further schooling and due industry pass such a test, an age and schooling certificate with the words "Conditional—Schooling not Standard" printed or stamped across its face may be issued by the superintendent of schools to such child upon proof acceptable to such superintendent of schools of the following facts and upon agreement to the respective conditions made in writing by the child and by the parent, guardian or custodian in charge of such child:

When and upon  
what facts  
"conditional—  
schooling not  
standard" cer-  
tificates may be  
issued.

(A) Facts to be proved:

That the child is addicted to no habit which is likely to detract from his reliability or effectiveness as a worker, or proper use of his earnings, or leisure, or the probability of his faithfully carrying out the conditions to which he agrees as specified in (B) below, and in addition any one of the following groups of facts—

Facts to be  
proved.

(1) That the child has been a resident of the school district for the last two or more years, has diligently attended upon instruction at school for the last two years or more, and is able to read, write and perform the fundamental operations of arithmetic. These abilities shall be judged by the juvenile examiner or if there be none, by the superintendent of schools.

(2) That the child having been a resident of the school district less than two years, diligently attended upon instruction in school in the district or districts in which the child was a resident next preceding his residence in the present district for the last school year preceding his removal to the present district, and has diligently attended upon instruction in the schools of the present school district for the period that he has been a resident thereof.

(3) That the child has removed to the present school district since the beginning of the last annual school session, and that instruction adapted to his needs is not provided in the regular day schools in the school district.

(4) That the child is not sufficiently familiar with the English language to be properly instructed in the full-time day schools of the district.

(5) That the child is needed for the support or care of a parent or parents or for the support or care of brothers or sisters for whom the parents are unable to provide and that the child is desirous of working for the support or care of such parents or siblings and that such child cannot render such needed support or care by a reasonable effort outside of school hours. But no age and schooling certificate shall be granted to a child upon proof of the facts in the preceding sentence without written consent given to the superintendent of schools by the judge of the juvenile court and by the board of state charities.

(B) Conditions to be agreed to:—

Conditions to be  
agreed to.

(1) In case the certificate is granted under facts (1), (2), (3) or (5) above, that until reaching the age of eighteen years the child will diligently attend in addition to part-time classes, such evening classes as will add to his education for literacy, citizenship or vocational preparation which may be made available to him in the school district and which he may be directed to attend by the superintendent of schools, or in case no such classes are available, that he will pursue such reading and study and report monthly thereon as may be directed by the superintendent of schools.

(2) In case the certificate is granted under fact (4) above, that until the age of twenty-one years or until the person is eighteen years of age and has learned to read, write and speak the English language, the said person will attend in addition to part-time classes, such evening classes as will assist the person to learn the American language or advance in Americanization which may be made available to him in the school district and which he may be directed to attend by the superintendent of schools. Such

conditional age and school certificate shall be printed on green paper. If a conditional age and schooling certificate is at the same time a limited certificate, the word "limited" shall be written or stamped diagonally across the face and the provisions of section 7766-3, General Code, shall apply except as to the color of the certificate.

Sec. 7766-9. A special age and schooling certificate which shall permit a child to be employed during the hours that the school to which the holder is assigned is not in session, other than the summer vacation, or, where cooperative part-time classes approved by the state board of education have been established, shall permit a child to be employed on the alternate days, weeks, or periods, on which his division is assigned to such part-time employment may be issued to a child above fourteen years of age under all of the conditions other than age and education which apply to a regular age and schooling certificate and such additional conditions as the superintendent of schools may deem necessary. Such special age and schooling certificate shall entitle such child to engage in occupations not forbidden to such children by section 13001, 13002 or 13007-3, General Code. Provided, however, that said sections 13001, 13002 and 13007-3, shall not be interpreted in such a way as to prevent any pupil from working on any properly guarded machine in the manual training department of any school when such work is performed under the personal supervision of an instructor.

Special age and schooling certificate; limitations and conditions.

No child under sixteen years of age shall be engaged in school and employment above nine hours altogether in any one day.

Every special age and schooling certificate shall be limited and specific and shall be in such form as will show all essential facts, and the form thereof or directions for recording the facts thereon may be prescribed by the superintendent of public instruction.

Such certificate shall be printed on light brown paper.

Such certificate shall be returned to the superintendent of schools on or before the day that school adjourns for the summer vacation except when the co-operative part-time classes continue during the summer vacation. They shall be filed and returned by employers under the same conditions and penalties as apply to regular age and schooling certificates.

Sec. 7767. Every child who has been granted an age and schooling certificate shall, until the age at which such certificate is no longer required by law, attend a part-time school or class for the number of hours not over eight per week that such school or class is in session, provided the board of education of the school district in which the child resides or is employed has made such school or class available. Such attendance shall be for the full term such school or class is in session, and shall begin with the first week of the school term or within one week after issuance

Who required to attend part-time day school.

of the age and schooling certificate. This section shall not apply to children who are employed on vacation or special certificates only. But the superintendent of schools may excuse a child from such attendance for one of the reasons provided in section 7762-5, General Code. A part-time school or class shall be defined as one which shall offer to those minors who have entered industry, instruction supplemental to their daily occupations or which will increase their civic and vocational intelligence or both and which are taught between the hours of seven o'clock in the morning and six o'clock in the afternoon of any day except a legal holiday, Saturday or Sunday, or between the hours of seven o'clock in the morning and twelve o'clock noon of Saturday.

Part-time school or class provided by employer; approval.

Sec. 7767-1. Attendance at a part-time school or class provided by an employer, or by a partnership, corporation or individual, or by a private or parochial school, or by a college, or by a philanthropic or similar agency shall serve in lieu of attendance at a part-time school or class provided by a board of education in case the given school or class is conducted for substantially a term and hours equivalent to those of the part-time schools or classes provided by the local board of education, and in case, further, the school or class is approved by the superintendent of public instruction. When such school or class is conducted within or in connection with the establishment in which the child is working the obligation of attendance at part-time school or class indicated in section 7767, General Code, shall apply to the children holding age and schooling certificates who are employed in the given establishment regardless of the accessibility of public part-time schools or classes.

Who judge of availability or accessibility of school or class.

Sec. 7767-2. The superintendent of schools shall be the judge of the availability or accessibility of a school or class in applying section 7762-5, 7766-8, 7767 or 7767-1, General Code.

Attendance officer, employment of.

Sec. 7769. The board of education of every city school district and of every village school district which is not a part of a county school district shall employ an attendance officer, and may employ or appoint such assistants as the board may deem advisable.

County attendance officer and assistants; who may be employed; compensation.

Sec. 7769-1. Every county board of education shall employ a county attendance officer, and may employ or appoint such assistants as the board may deem advisable. The compensation and necessary traveling expenses of such attendance officer and assistants shall be paid out of the county board of education fund. With the consent and approval of the judge of the juvenile court, a probation officer of the court may be designated as the county attendance officer or as an assistant. The compensation of the probation officers of the juvenile court so designated shall be fixed and paid in the same manner as salaries of other probation officers of the juvenile court; their traveling expenses as attendance officers which would not be in-

curred as probation officers shall be paid out of the county board of education fund. The county attendance officer and assistants shall work under the direction of the county superintendent of schools. The authority of such attendance officer and assistants shall extend to all the village and rural school districts which form the county school district. But this section shall not be interpreted to confine their authority to investigate employment to that within the county school district.

Sec. 7769-2. An attendance officer or assistant may investigate any case of non-attendance at school or part-time school of a child under eighteen years of age or supposed to be under eighteen years of age resident in the district for which he is employed as attendance officer or assistant, or found in the district or enrolled in any school within the district and of any child above eighteen years of age if enrolled in any school within the district, and may take such action in accordance with law as the superintendent of schools may direct or as he himself may deem proper in the absence of specific directions.

Investigation  
of non-attend-  
ance.

Sec. 6250. An inspector or visitor of the industrial commission shall have like authority as is vested in the attendance officer to enforce school attendance of a child found violating the school attendance laws, or he shall make complaint of such violation to such attendance officer.

Enforcement of  
school attend-  
ance.

Sec. 7770. The attendance officer and assistants shall be vested with police powers and the authority to serve warrants, and shall have authority to enter workshops, factories, stores, and all other places where children are employed and do whatever may be necessary in the way of investigation or otherwise to enforce the laws relating to compulsory education and the employment of minors. The attendance officer or assistant may also take into custody any youth of compulsory school age not legally employed on an age and schooling certificate who is not attending school and shall conduct such youth to the school he has been attending or should rightfully attend.

Powers and  
duties of officer  
and assistants.

Sec. 7770-1. Any person above eighteen years of age who believes that he is likely to be supposed to be under eighteen years of age by an employer or person engaged in the enforcement of the laws relating to compulsory education and the employment of minors may apply to the superintendent of schools for an overage certificate which shall be issued to him if he is proved to be above eighteen years of age in the manner required for the proof of age to secure an age and schooling certificate.

Overage certi-  
ficate, issue of,  
when.

When a person holding an age and schooling certificate reaches the age of eighteen such age and schooling certificate shall be released to him by his employer and shall have the effect of an overage certificate. Such overage certificate or released age and schooling certificate shall be conclusive evidence for an employer that the given employee has reached the age certified to therein, and the

When age and  
schooling cer-  
tificate released.

provisions of section 6245-2, General Code, shall not apply to the employer in respect to such person while engaged in an employment legal for a person of the given sex and of the age certified to therein.

When "age and pre-employment card" required.

Sec. 7770-2. Any boy above sixteen years of age employed at the time this act goes into effect, or who had been employed before that date and after reaching the age of sixteen years, and who under former laws was not required to hold an age and schooling certificate for such employment shall be granted by the superintendent of schools an "age and pre-employment card" which shall exempt him from the provisions of this act except that he shall be required to attend part-time school or class until he reaches the age of eighteen, the same as those holding age and schooling certificates, if such part-time continuation schools or classes are in operation in the district wherein he resides, and he and his parents, guardian or other person in charge of him shall be liable to like prosecutions and penalties upon his failure to do so.

Child previously employed permitted to continue.

Sec. 7770-3. Any child employed at the time this act goes into effect on a regular age and schooling certificate or who had before that date been legally employed on such a certificate shall have the right to continue to be employed on such certificate or to be granted a new age and schooling certificate under the conditions as to age and grade which prevailed at the time his first regular age and school certificate in this state was granted.

When certain provisions of law take effect.

Sec. 7770-4. Schedule: Notwithstanding the provisions of other sections of this act children between seventeen and eighteen years of age shall not be required to attend part-time schools or classes previous to September 1, 1922; and previous to said date children between seventeen and eighteen years of age shall not be counted in determining the number requisite to obligate a board of education to provide such school or class; and previous to said date parents and employers shall be relieved of all obligations of attendance of such children upon such classes.

Who shall institute proceedings to enforce the law.

Sec. 7771. The attendance officer shall institute proceedings against any officer, parent, guardian, person, partnership or corporation violating any provision of the laws relating to compulsory education and the employment of minors, and otherwise discharge the duties described herein, and perform such other service as the superintendent of schools or board of education of the district by which he is employed may deem necessary to preserve the morals and secure the good conduct of school children, and to enforce the provisions of the above mentioned laws.

He shall be furnished with copies of the enumeration in each school district in which he serves and of the lists of pupils enrolled in the schools and shall report to the superintendent discrepancies between these lists and the enumeration.



The attendance officer and assistants shall co-operate with the industrial commission of Ohio in enforcing the conditions and requirements of the laws of Ohio relating to the employment of minors. The attendance officer shall furnish upon request such data as he and his assistants have collected in their reports of children from six to eighteen years of age and also concerning employers to the industrial commission of Ohio and upon request to the superintendent of public instruction. He must keep a record of his transactions for the inspection and information of the superintendent of schools and the board of education; and shall make reports to the superintendent of schools as often as required by him. The superintendent of public instruction shall have power to prescribe forms for the use of attendance officers in the performance of their duties. The blank forms and record books or indexes shall be furnished to the attendance officers by the boards of education by which they are employed.

Co-operation  
with Industrial  
Commission in  
law enforcement.

Blank forms.

Sec. 7772. The principal or teacher in charge of any school public, private or parochial, shall report to the clerk of the board of education of the city, exempted village, village or rural school district in which the school is situated the names, ages and places of residence of all pupils below eighteen years of age in attendance at their school together with such other facts as said clerk may require to facilitate the carrying out of the provisions of the laws relating to compulsory education and the employment of minors. Such report shall be made within the first two weeks of the beginning of school in each school year, and shall be corrected with the entry of such items as may be prescribed by the superintendent of public instruction within the first week of each subsequent school month of the year.

Report of teachers to clerks;  
when made.

Sec. 7772-1. Whenever any child of compulsory school age withdraws from school the teacher of that child shall ascertain the reason. The fact of the withdrawal and the reason therefor shall be immediately transmitted by the teacher to the superintendent of schools of the city, exempted village or county school district as the case may be. If the child who has withdrawn from school has done so because of change of residence the next residence shall be ascertained and shall be included in the notice thus transmitted. The superintendent shall thereupon forward a card showing the essential facts regarding the child and stating the place of his new residence to the superintendent of schools of the district to which the child has moved.

Duties of teacher  
on withdrawal of  
child from  
school.

The superintendent of public instruction shall have power to prescribe the forms to be used in the operation of this section.

Sec. 7773. On the request of the superintendent of schools or the board of education or when it otherwise comes to his notice, the attendance officer shall examine into any case of supposed truancy within his district, and

Examination of  
cases of sup-  
posed truancy;  
notice to parent.

warn the child, if found truant, and his parent, guardian or other person in charge of him, in writing, of the final consequences of truancy if persisted in. When any child of compulsory school age, in violation of the provisions of this chapter, is not attending school, the attendance officer shall notify the parent, guardian or other person in charge of such child of the fact, and require such parent, guardian or other person to cause the child to attend school forthwith; and it shall be the duty of the parent, guardian or other person in charge of the child so to cause its attendance at school. Upon the failure of the parent, guardian or other person in charge of the child to do so, the attendance officer shall make complaint against the parent, guardian or other person in charge of the child in any court of competent jurisdiction.

Warning to  
child, parent or  
guardian: com-  
plaint.

Sec. 7773-1. When any child, in violation of the provision of section 7767 or 7767-1, General Code, is not attending a part-time school or class, the attendance officer shall warn the child and his parent, guardian or other person in charge of him in writing of the final consequences of his failure to attend such school or class. If the parent, guardian or other person in charge of such child fails thereupon to cause his attendance at such part-time school or class the attendance officer shall make complaint against the parent, guardian or other person in charge of the child in any court of competent jurisdiction.

Legal notice.

Sec. 7773-2. A notice under the provisions of section 7773 or 7773-1, General Code, sent by registered mail shall be a legal notice.

Proceedings be-  
fore juvenile  
court: hearing.

Section 7774. If the parent, guardian or other person in charge of a child, upon complaint of a failure to cause the child to attend school or a part-time school or class, proves inability to do so, then he shall be discharged, and thereupon the attendance officer shall make complaint before the judge of the juvenile court of the county that the child is a delinquent child or dependent child within the meaning of section 1644 or 1645, General Code. Such judge shall hear the complaint and if he determines that the child is a delinquent or dependent child within the meaning of one of such sections shall dispose of the child according to section 1652 or 1653, General Code.

Who deemed in  
charge of child.

Sec. 7775. If a child is residing apart from its parents, and the parents are not residents of the given school district, the person in whose residence the child resides shall be deemed the person in charge of the child for the purpose of section 7773, 7773-1 or 7774, General Code, and if several families are tenants in common of the residence in which the child resides and no one claims to be the person in charge of the child the court shall be judge of who is de facto in charge of the child.

Relief to enable  
child to attend  
school.

Sec. 7777. When an attendance officer is satisfied that a child compelled to attend school is otherwise unable to do so because absolutely required to work at home or

elsewhere in order to support himself or help to support or care for others legally entitled to his services who are unable to support or care for themselves, such officer must report the case to the president of the board of education of the city, exempted village, village or rural school district in which such child resides. Upon proof of such fact the given board of education shall furnish free of charge text-books and such other personal necessities for the child or persons entitled to his service and also such medical care in cooperation with the health commissioner of the district as may be necessary to enable the child to attend school. The expense incident to furnishing such relief must be paid from the contingent fund of the school district. Such child shall not be considered a pauper by reason of the acceptance of such relief. If the child or its parent or guardian refuses or neglects to take advantage of the provision thus made for its instruction, action may be taken against the parent or guardian or child as provided in sections 7773, 7774 or 1645, General Code.

Sec. 7778. Every child actually resident in the state shall be amenable to the laws relating to compulsory education, and neither he nor the person in charge of him shall be excused from the operation of said laws or the penalties under them on the ground that the child's residence is seasonal or that the parent of the child is a resident of another state or that the child has attended school for the legal period in another state. The board of education in any school district shall admit without tuition charge any child actually resident in the district who would otherwise be deprived of school privileges in this state.

Who amenable  
to laws relating  
to compulsory  
education.

Sec. 7780. Upon information obtained as in section 7795, General Code, or otherwise, the judge of the juvenile court shall fix times when he will hear the questions whether each such child not reported as being or not believed by him being already properly instructed shall be required to be sent for instruction to one of the state institutions for such handicapped children, and shall for each case thereupon issue a warrant to the attendance officer or some other suitable person to bring the child before him at his office at the time fixed for the hearing. He shall also issue an order on the parents, guardian or other person in charge of the child to appear before him at such hearing, a copy of which order must be served personally on the proper person by the attendance officer or other person ordered to bring the child before the judge. If on the hearing the judge of the juvenile court is satisfied that the child is not being properly educated and will be benefited by attendance at one of the state institutions for the education of such children and is a suitable person to receive instruction therein or that it is dangerous to society for the child to remain without custodial care, he may send or commit such child to such institution adapted to the needs of children handicapped in the particular respect.

Proceedings in  
juvenile court.

Instruction in  
institution.

Sec. 7781. Any such child committed as provided in section 7780, General Code, shall be received, instructed or cared for in the given institution unless the child is deemed by the bureau of juvenile research, after careful examination, not a proper person to be received in the given type of institution.

Annual enumeration.

Sec. 7794. An enumeration of all youth between five and eighteen years of age resident within the district, and not temporarily there, shall be taken in each school district annually during the four weeks ending on the fourth Saturday of May. This enumeration shall designate the name of each child, his sex, his age, name of his parent, location of his residence, and what school building and grade he attends, and shall indicate in separate columns whether each child is from five to six years of age or from sixteen to eighteen years of age and whether he is a resident of the Virginia Military District, the Connecticut Western Reserve, the United States Military District, the French grant or any one of the three tracts of the Moravian lands, or in any original surveyed township or fractional township to which belongs section sixteen or other land in lieu thereof. Such enumeration shall be taken under the supervision of the attendance officer of the county, exempted village or city school district. The superintendent of public instruction may prescribe forms and suggest improved methods of taking and recording such enumerations.

Additional data  
to be obtained.

Sec. 7795. The person taking such enumeration shall make every effort to secure an accurate enumeration of all feeble-minded and epileptic persons between one and twenty-one years of age, and of all crippled, blind or partially blind and deaf children between the same ages and shall place in a separate list the names and the other data regarding such, which data shall include a statement of the disposition of each such child for education and care; but the name of each child between five and eighteen years of age shall appear also on the general enumeration list, with cross-reference to the special list.

When and how  
enumeration  
taken.

Sec. 7796. On or before the last Saturday in April the board of education of each school district shall appoint one or more persons to take the enumeration provided for in the next two preceding sections. Each person appointed shall take an oath or affirmation to take the enumeration accurately and truly to the best of his skill and ability, and in accordance with the directions of the attendance officer. He shall make the return thereof, with all details secured, to the clerk of the board of education, with his affidavit that he has taken and returned the enumeration accurately and truly to the best of his knowledge and belief, and that such list contains the names of all such youth so enumerated and no others. The clerk of the board of education or any officer authorized to administer oaths may administer such oath or affirmation

and take and certify such affidavit. The clerk shall keep the enumerator's reports in his office for five years.

Sec. 7796-1. A board of education shall provide a copy of the enumeration for the use of the attendance officer and may provide for the keeping of an index of the enumeration for purposes of ready reference in such form as the superintendent of public instruction may prescribe. Such index shall be made available for consultation by non-public schools not conducted for profit, by philanthropic organizations and other responsible persons interested in child welfare.

Copy of enumeration for attendance officer; index required.

Sec. 7797. Reasonable compensation shall be paid by boards of education to those employed to take the enumeration after they have made proper returns to the clerk. A board of education may require that the persons employed to take the enumeration shall report all unoccupied houses in the district, and also that the enumeration be arranged for report in forms which will be convenient for checking or reference, and may pay compensation for such services. A board of education may employ a teacher or attendance officer to take the enumeration.

Compensation; report; forms.

Sec. 7798. When a school district includes territory situated in two or more civil counties persons taking the enumeration must report separately the children residing in each respective county. The clerk of the board shall make returns, as provided in section 7799, General Code, to the auditor of each county.

When district situated in two or more counties.

Sec. 7799. On or before the first Saturday in August the clerk of each board of education shall transmit to the county auditor an abstract of the enumeration of children in the school district according to a form prescribed by the superintendent of public instruction with an oath or affirmation endorsed thereon that it is a correct abstract of the returns made to him under oath or affirmation. The oath or affirmation of the clerk may be administered and certified to by any member of the board of education or by the county auditor. In village and rural school districts there shall be included with the abstract the entire list with all details of feeble-minded, epileptic, crippled, blind or partially blind and deaf children.

Clerk shall transmit abstract of enumeration to county auditor.

Sec. 7799-2. For the purpose of the apportionment of the common school fund the enumeration shall mean in the case of every enumeration subsequent to the going into effect of this section the enumeration of children from five to eighteen years of age; and in the year 1921 if the enumeration is not taken in May on this new basis, the enumeration shall be taken in the four weeks following the date when this section shall become effective, and the dates of the required reports shall be correspondingly altered.

Meaning of enumeration in relation to apportionment of funds.

Sec. 7800. If the clerk of any board of education fails to transmit such abstract of enumeration on or before the first Saturday of August the auditor at once shall

When clerk fails to take or transmit enumeration, auditor to act.

demand it from him. In case the enumeration has not been taken as required by law or the abstract be not furnished without delay the auditor shall employ competent persons to take the enumeration, who shall make return directly to the auditor who may administer to each such person employed the oath or affirmation required. He shall allow each person so employed by him a reasonable compensation to be paid out of the general county fund. If the necessity of the employment by the auditor of persons to take the enumeration arose from the failure of the clerk of a board of education to perform his duties the expense of taking the enumeration may be recovered from said clerk in an action in the name of the state and the amount so collected shall be paid into the general county fund. Otherwise the expense of taking the enumeration by those employed by the auditor shall be charged by the auditor against the school district, and the amount thereof shall be deducted by the auditor from funds due to such district at the next semi-annual settlement.

Auditor shall transmit abstract to superintendent.

Sec. 7803. On or before the third Saturday of August the auditor of each county shall transmit to the superintendent of public instruction on blanks furnished by him a duly certified abstract of the enumeration returns made to him.

False enumeration of school children.

Sec. 12929. Whoever being an officer or appointee responsible for securing or reporting the annual enumeration of children makes a false return shall upon conviction be fined not less than twenty nor more than one thousand dollars or imprisoned not less than ten days nor more than thirty days.

Failure to send child to school; penalty.

Sec. 12974. Whoever being a parent, guardian or other person having care of a child of compulsory school age violates any of the provisions of sections 7762, 7762-5, 7763, 7765-1, 7773 or 7773-1, General Code, shall upon conviction be fined not less than five dollars and not more than twenty dollars, or the court may in its discretion require the person so convicted to give bond in the sum of one hundred dollars with sureties to the approval of the court, conditioned that he will cause the child under his charge to attend upon instruction as provided by law, and remain as a pupil in the school or class during the term prescribed by law; and upon the failure or refusal of any such parent, guardian or other person to pay said fine and costs or furnish said bond according to the order of the court, then said parents, guardian or other person shall be imprisoned in the county jail not less than ten days nor more than thirty days.

Violation of other statutes.

Sec. 12975. Nothing in the preceding section shall be construed as relieving from prosecution and conviction any such parent, guardian or other person upon further violation of the statutes named therein; nor shall forfeiture of the bond named therein, if required, be construed as

relieving such person from prosecution and conviction upon further violation of the statutes named therein.

Sec. 12976. Whoever employs a minor under eighteen years of age before exacting from such minor the age and schooling certificate, or age and pre-employment card required by law, or fails to keep such certificate or card on file, or fails to return to the superintendent of schools or his authorized representative such certificate or card or give notice of the non-use thereof within two days from such minor's withdrawal or dismissal from his service, or continues to employ a minor under eighteen years of age after his age and schooling certificate or card is void, or refuses to permit an attendance officer or other person mentioned in section 7765, General Code, to examine such certificate or card, or refuses to permit such attendance officer or person to observe the conditions under which minors under eighteen years of age are employed, or refuses to permit under reasonable regulations such attendance officer or persons to make inquiry of minors or persons supposed by such officer or persons to be under eighteen years of age in regard to matters pertaining to their age, employment or schooling, shall upon conviction be fined not less than twenty dollars, nor more than fifty dollars.

Employing  
minors during  
school session;  
requirements.

Sec. 12977. Whoever, being an officer or agent of a corporation, participates or acquiesces in any violation of law relating to compulsory education or employment of minors shall upon conviction be fined not less than twenty dollars, nor more than fifty dollars.

Violations by  
officer or agent  
of corporation.

Sec. 12978. Failure to produce for lawful inspection the age and schooling certificate or card as provided by law or the record as provided in section 12998, General Code, shall be prima facie evidence of the illegal employment or service of the child whose certificate or card is not so produced or whose record is not so correctly kept.

Failure to pro-  
duce certificate  
prima facie evi-  
dence of illegal  
employment.

Sec. 12979. Any person charged by law with issuance of age and schooling certificates who fails or refuses upon request to issue such certificate or age and pre-employment card or overage certificate in conformity to law, or who issues such certificate or age and pre-employment card or overage certificate contrary to any of the provisions of the laws relating to the issuance of such certificates or cards, shall upon conviction be fined not less than twenty nor more than fifty dollars.

Neglect or fail-  
ure to issue  
certificate; pen-  
alty.

Sec. 12980. Whoever, being an officer of a board of education or a superintendent, principal or teacher of a public, private or parochial school or a juvenile examiner refuses or neglects to perform a duty imposed upon him by the laws relating to compulsory education and the issuance of age and schooling certificates or declines to give the information necessary for the execution of these laws shall upon conviction be fined not less than twenty nor more than fifty dollars. Continued refusals to perform the duties or give the information shall constitute

School officer  
neglecting or  
refusing to per-  
form duty;  
penalty.

Courts having jurisdiction.	<p>additional violations of the statutes relating to compulsory education and the issuance of age and schooling certificates.</p> <p>Sec. 12981. Mayors, justices of the peace, police judges and judges of juvenile courts shall have final jurisdiction to try the offenses described in the seven next preceding sections. When complaint is made against a corporation for violating any provision of such sections, summons shall be served, appearance made, or plea entered as provided by law in cases when an indictment is presented against a corporation, except in complaints before magistrates, when service may be made by the constable. In other cases process shall be served and proceedings had as in cases of misdemeanor.</p>
Disposition of fines.	<p>Sec. 12982. Fines collected under the provisions of the eight sections next preceding shall be paid into the funds of the city, exempted village, village or rural school district in which the offense was committed.</p>
Who shall file complaint.	<p>Sec. 12982-1. The attendance officer or any inspector of the industrial commission of Ohio shall when a violation of section 12976, 12977, 12978, 12979 or 12980, General Code, comes to his attention make complaint against the person or employer violating it in any court having jurisdiction.</p>
Permitting child to leave jurisdiction of court; penalty.	<p>Sec. 12983. Any parent, guardian or other person in charge of a child of compulsory school age as defined in section 7763, General Code, who after a complaint made against such parent, guardian or other person in charge of the child or against the child himself, under a law relating to compulsory education, before a court of competent jurisdiction, and before such complaint is heard causes or permits such child to leave the territory under the jurisdiction of the court, shall upon conviction be fined not less than fifty nor more than two hundred dollars or be imprisoned in jail for not less than ten nor more than sixty days or both.</p>
Penalty for subsequent violation.	<p>Sec. 12984. Whoever having been convicted of a violation of any provision of law relating to compulsory education or the employment of minors again violates such provision shall upon conviction, unless a penalty for a second or subsequent violation of the given provision is elsewhere specifically provided by law, be punished for the second offense by a fine of not less than twenty nor more than two hundred dollars or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a third or other subsequent offense by a fine of not less than thirty nor more than five hundred dollars or by imprisonment for not more than sixty days or by both such fine and imprisonment.</p>
Trial by jury in such cases.	<p>Sec. 12985. On complaint before a mayor, justice of the peace or police judge of such a second or further violation of a law relating to compulsory education or the employment of minors, if a trial by jury is not waived, a jury shall be chosen and proceedings had therein as pro-</p>



vided by law in cases of violation of the laws for the prevention of cruelty to animals and children.

Sec. 12986. No person or officer instituting proceedings under any of the thirteen sections next preceding shall be required to file or give security for the costs. If a defendant is acquitted or if convicted and committed to jail in default of payment of fine and costs, the justice, mayor, police judge or judge of the juvenile court before whom such case was brought shall certify such costs to the county auditor, who shall examine the amount and if necessary correct it, and issue his warrant on the county treasurer in favor of the respective persons to whom such costs are due for the amount due to each.

Costs in certain prosecutions.

Sec. 12987. Any person who when engaging to be employed or seeking employment states falsely his age for the purpose of evading any law relating to the employment of minors or females under the age of twenty-one years shall upon conviction be punished by a fine of not less than twenty nor more than fifty dollars or by imprisonment for not more than thirty days; provided, however, that if the minor is under eighteen years of age a charge shall be brought against him in the juvenile court as a delinquent child.

False statement as to age when seeking employment; penalty.

Sec. 12988. If a person between eighteen and twenty-one years of age falsely makes oath that he is twenty-one years of age or above when engaging to be employed or seeking employment the employer shall be exempt from the operation of section 6245-2, General Code, in respect to that person.

False oath as to being 21 years of age; penalty.

Sec. 12993. No child under sixteen years of age shall be employed, permitted or suffered to work in or about any (1) mill, (2) factory, (3) workshop, (4) oil well or pumping station, (5) cannery or bottling or preserving establishment, (6) mercantile or mechanical establishment, (7) tenement house, (8) garment making or dress making or millinery establishment or working room, (9) store, (10) office, (11) office building, (12) laboratory, (13) restaurant, (14) hotel, boarding house, or apartment house, (15) bakery, (16) barber shop, (17) bootblack stand or establishment, (18) public stable, (19) garage, (20) laundry, (21) place of amusement, (22) club, (23) or as a driver or chauffeur, (24) or in any coal yard or brick, lumber, or building material yard, (25) or in the construction or repair of buildings, (26) or in the transportation of merchandise; nor any boy under sixteen or female under twenty-one years of age in the personal delivery of messages, but except as to the personal delivery of messages by females under twenty-one years of age this section shall not apply to holders of age and schooling certificates under sections 7766-6, 7766-9 or 7770-3, General Code.

Regulating the employment of minors in factories, etc.

Sec. 12993-1. It shall be unlawful for any person, firm or corporation to employ, permit, or suffer to work any child who is required by law to be in attendance at

Employment of child during school hours, unlawful, when.

school in any business or occupation whatever during the hours when the public schools of the district in which the child resides, including the school or class to which the child is assigned, are in session.

Damage on failure to return certificate on termination of employment.

Sec. 12995. Upon failure on the part of an employer to return an age and schooling certificate or give notice of the non-use thereof within two days after the termination of the employment of a child, the child terminating his employment shall be entitled to recover from such employer in a civil action as damages an amount equal to the wages which he would have earned had he continued in said employment for the period between such termination thereof and the time when such certificate is so returned or said notice given. If such a child at any times fails to appear for work without explanation, the employment shall be deemed within the purposes of this section to have terminated upon the expiration of two days after his so failing to appear.

Two lists of minors employed shall be kept and one conspicuously posted.

Sec. 12998. No child under eighteen years of age shall be employed, permitted or suffered to work in, about or in connection with any establishment or occupation named in section 12993, General Code, or any place of employment, exchange or headquarters, unless the person, firm or corporation employing such child keeps two complete lists of the names, together with the ages, of all children under eighteen years of age, employed in or for such establishment or in such occupation, one on file, and one conspicuously posted near the principal entrance of the place or establishment in which such children are employed.

Printed notice of working hours shall be posted.

Every employer shall post and keep posted in a conspicuous place in every room of any establishment or business named in section 12993, General Code, or this section, where any boy under the age of eighteen or any female under the age of twenty-one is employed, permitted or suffered to work a printed notice stating the maximum of hours such person may be required or permitted to work on each day of the week, the hours of commencing and stopping work, and the hours allowed for dinner and for other meals. The printed form of such notices shall be furnished by the industrial commission of Ohio and the employment of any minor for a longer time in any day than so stated or at any time other than as stated in said printed notice shall be deemed a violation of the provisions of the laws relating to the employment of minors.

In case the duties of the person are such as to cause him to move from room to room it shall be deemed compliance with the requirements of the above paragraph for the notice to be kept posted in the office or room to which such person reports or which serves as his headquarters.

Hindering or obstructing attendance at part-time school or class, unlawful.

Sec. 12999. Any employer who refuses to permit a minor in his employ to attend a part-time school or class as defined by law, when such minor is required by law so to attend, or arrange the hours of the minor's work so

as to make possible such attendance, or dismisses a minor from his employ because of the minor's compliance with the law in respect to such attendance, or otherwise obstructs a minor's attendance at part-time school or class shall upon conviction for a first offense be punished by a fine of not less than ten nor more than fifty dollars; and upon conviction for subsequent offense by the penalties provided in section 12984, General Code.

Sec. 13007-1. An inspector of factories, attendance officer, or other officer charged with the enforcement of the laws relating to the employment of minors or school attendance may make demand on any employer in or about whose place or establishment or material or equipment a person apparently under the age of eighteen years is employed or permitted or suffered to work, and whose employment certificate is not filed as required by this act, that such employer shall furnish him satisfactory evidence that such person is in fact over eighteen years of age. The inspector of factories, attendance officer, or other officer charged with the enforcement of such laws, shall require from such employer unless an overage certificate is held by the employee the same evidence of age of such child as is required upon the issuance of an age and schooling certificate. Failure of such employer to produce such evidence shall be deemed a violation of the laws relating to the employment of minors.

Demand when  
age and school-  
ing certificate  
not filed; evi-  
dence required.

Sec. 13007-7. It shall be the duty of inspectors of factories, attendance officers and other officers charged with the enforcement of laws relating to the employment of minors to make complaint by filing the proper affidavit before a court having competent jurisdiction against any person, firm or corporation violating any of the provisions of law relating to the employment of minors and to prosecute the same.

Who shall  
make complaint.

This shall not be construed as a limitation upon the right of other persons to make and prosecute such complaints.

Sec. 13007-8. Any person who with the intent to assist a minor or female under the age of twenty-one years to procure employment makes a false statement regarding the age of such person to an employer or to a person authorized to issue age and schooling certificates shall upon conviction be punished by a fine of not less than twenty nor more than fifty dollars or by imprisonment for not more than thirty days.

False statement  
as to age;  
penalty.

Sec. 13007-9. Any person, firm or corporation, agent or manager of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself, or through an agent, servant or foreman, employs and whoever having under his control as parent, guardian, custodian or otherwise any minor permits or suffers a minor or female under the age of twenty-one years to be employed or to work in violation of any of the provisions of the laws relating to the employment of such minors or

Penalty for  
first violation.

females under the age of twenty-one years for which the penalty is not otherwise provided by law shall for a first offense be punished upon conviction by a fine of not less than ten nor more than fifty dollars.

Continuing employment after notice of violation; penalty.

Sec. 13007-10. Whoever continues to employ any minor or any female under twenty-one years of age in violation of any of the provisions of the laws relating respectively to the employment of minors or females under the age of twenty-one after being notified thereof in writing by a factory inspector, attendance officer or other officer charged with the enforcement of such laws shall for every day thereafter that such employment continues be fined upon conviction not less than five nor more than twenty dollars.

Person under 21 years of age refusing to give age, taken before juvenile court.

Sec. 13007-14. Any minor or female under twenty-one years of age working in or in connection with any of the establishments or places or in occupations with respect to which there are restrictions of law governing the employment of persons of his probable age who refuses to give to an authorized employee of the industrial commission of Ohio or other authorized inspector or attendance officer his name, age and place of residence shall be forthwith conducted by such authorized employee, inspector or attendance officer before the juvenile court or other court having jurisdiction in the premises for examination and to be dealt with according to law.

Repeals.

SECTION 2. That sections 7768, 7776, 7779, 7782, 7783, 12994, 13006, 13007-2 and 13007-11, and original sections 7690, 7762, 7763 to 7766 inclusive, 7766-1, 7767, 6250, 7769 to 7774 inclusive, 7777, 7778, 7780, 7781, 7794 to 7799 inclusive, 7800, 7803, 12929, 12974 to 12988 inclusive, 12993, 12995, 12998, 12999, 13007-1, 13007-7, 13007-8, 13007-9, 13007-10 and 13007-14 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed April 29, 1921.

This bill was presented to the Governor, May 13th, 1921, and was not signed or returned to the house wherein it originated within ten days after being so presented, exclusive of Sundays and the day said bill was presented and was filed in the office of the Secretary of State, May 26th, 1921.

WM. S. BUNDY,  
*Veto Clerk.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of May, A. D. 1921.

[Amended Senate Bill No. 132.]

## AN ACT

To amend section 1261-32 of the General Code and to enact supplemental section 1595-1 relative to providing for keeping a record of births and deaths in the probate court.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1261-32 of the General Code be amended and supplemental section 1595-1 be enacted, to read as follows:

Sec. 1261-32. The district health commissioner shall be a deputy of the state registrar of vital statistics and shall under his direction enforce all laws governing the registration of births and deaths. Each local registrar of vital statistics shall on or before the fifth day of each month transmit to the health commissioner of the district having jurisdiction, all certificates of births or deaths received by such registrar during the preceding month, and a copy of all such certificates of births and deaths to the probate judge of the county in which such local registrar resides. The health commissioner shall within five days transmit such certificates to the state registrar of vital statistics. When any registrar shall receive any certificate of a death from any contagious or communicable disease, he shall within twenty-four hours after receipt of such certificate notify the health commissioner of the district having jurisdiction of such death on a form to be furnished by the district board of health.

District commissioner shall be deputy registrar of vital statistics; reports.

Sec. 1595-1. There shall be maintained in the probate court a permanent record of all births and deaths occurring within the county as reported under the provisions of section 1261-32 of the General Code. The record shall be kept in such form and manner as may be designated by the state registrar of vital statistics.

Record of births and deaths maintained in probate courts.

SECTION 2. That original section 1261-32 of the General Code be, and the same is hereby repealed.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed April 29, 1921.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

This bill was presented to the Governor, May 13th, 1921, and was not signed or returned to the house wherein it originated within ten days after being so presented, exclusive of Sundays and the day said bill was presented and was filed in the office of the Secretary of State, May 26th, 1921.

WM. S. BUNDY,  
Veto Clerk.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of May, A. D. 1921.

193 G.

[Amended Senate Bill No. 136.]

## AN ACT

For the relief of Frank Bentz.

Relief for  
Frank Bentz.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. There is hereby appropriated out of any funds in the state treasury to the credit of the state highway improvement fund not otherwise appropriated, the sum of nineteen thousand seven hundred thirty-two dollars and fifty-eight cents, for the relief of Frank Bentz, being in full settlement of his claim against the state for work done, material furnished, equipment confiscated by the state, and retained percentage, held by the state, in the contract awarded him by the state highway department August 1, 1915, for the construction of section F of the McConnellsville and Athens road, I. C. H. No. 162, petition No. 1342, in Marion township, Morgan county, Ohio.

SECTION 2. The auditor of state is hereby authorized and directed to draw a warrant on the state treasurer for the amount hereinbefore provided in favor of Frank Bentz.

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed April 28, 1921.

This bill was presented to the Governor, May 13th, 1921, and was not signed or returned to the house wherein it originated within ten days after being so presented, exclusive of Sundays and the day said bill was presented and was filed in the office of the Secretary of State May 26th, 1921.

WM. S. BUNDY,  
*Veto Clerk.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 26th day of May, A. D. 1921.

194 G.

[Senate Bill No. 265.]

## AN ACT

Authorizing the adjutant general to purchase the lease of the Hartman Hotel Building located on the northwest corner of Main and Fourth streets for state office purposes and declaring an emergency.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the adjutant general of the state of Ohio is hereby authorized to contract for and purchase, subject to the approval of the governor, from the Market Exchange Bank of Columbus, Ohio, all right, title and interest in the lease held by such bank on the property located on the north-west corner of Main and Fourth streets and being the east one-third of inlots Nos. 606, 607 and 608, known as the Hartman Hotel Building, subject, however, to the occupancy by such bank of such portion of the building as may be agreed upon between such bank and the adjutant general, such lease being for a term of ninety-nine years renewable forever. The attorney general shall prepare or approve all papers, necessary to effect the transfer herein provided for. The property so leased shall be used for the housing of such state departments as the adjutant general may designate and the contract entered into shall be contingent upon appropriations to be made by the General Assembly.

Adjutant general  
authorized to  
purchase lease  
on Hartman  
Hotel building.

SECTION 2. This act is hereby declared to be an emergency act necessary for the immediate preservation of the public peace, health and safety for the reason that certain departments of state must find quarters immediately in order that the work of the state may not be interrupted and the quarters designated in this act are the ones most available and must be purchased at once in order to be obtained, and therefore this act shall go into immediate effect.

Emergency law.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 13, 1921.

Approved May 28, 1921.

HARRY L. DAVIS,  
*Governor.*

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
*Attorney  
General.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 28th day of May, A. D. 1921.

195 G.

[Amended Senate Bill No. 245.]

## AN ACT

To amend section 13162 of the General Code relating to the registration of pure bred animals.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 13162 be amended and supplemented by the enactment of a supplemental section to be known as section 13162-1 of the General Code to read as follows:

Unlawfully obtaining registry or transfer in herd registry; penalty.

Sec. 13162. Whoever, by a false pretense, obtains from any club, association, society or company for improving the breed of cattle, horses, sheep, swine or other domestic animals, the registration or a certificate thereof, of any animal in the herd register, or any other register of such club, association, society or company, or a transfer of such registration, or whoever knowingly makes, exhibits or gives a false pedigree in writing of any animal, shall be punished by imprisonment for not more than two years or by a fine of not less than fifty dollars nor more than one thousand dollars, or by both such fine and imprisonment.

Unlawful entries relative to milk or butter fat of pure bred cattle; penalty.

Sec. 13162-1. Whoever, by false entries in books or records kept for the purpose of recording the milk or butter fat production of pure bred cattle during a prescribed test period, or by any other false pretense or fraudulent practice, shall obtain or attempt to obtain from any club, association, society or company for the improvement of the breed of cattle, a certificate of advanced registration of any animal in the herd register or other register of any such club, association, society or company, or shall obtain or attempt to obtain from any such club, association, society or company, a certificate of productive merit or record of performance of any pure bred cow during such test period, shall be guilty of a misdemeanor and shall be fined not less than one hundred dollars nor more than one thousand dollars, or imprisoned not less than three months nor more than one year, or both.

SECTION 2. That said original section 13162 be and the same is hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed April 29, 1921.

Approved May 28, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 31st day of May, A. D. 1921.



[House Bill No. 409.]

## AN ACT

To authorize the county of Summit and the city of Akron, Ohio, to enter upon, improve and occupy that portion of the Ohio canal lying between the northerly line of North street in Akron, Ohio, and Center street in the village of Boston, Ohio, for sewerage, drainage and highway purposes.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That the portion of the Ohio canal situated within the county of Summit and located between the northerly line of North street in the city of Akron and the northerly line of Center street in the village of Boston, Ohio, be, and the same is hereby vacated and abandoned for canal purposes.

Authority to improve portion of Ohio canal in Akron.

SECTION 2. All existing leases for portions of the Ohio canal within the limits above described shall remain in full force and effect until the expiration thereof with the right of renewal of any such lease at its expiration.

Existing leases remain in force.

SECTION 3. The governor is hereby authorized to lease, after appraisal the same as other canal lands, to the county of Summit and the city of Akron, for the period of ninety-nine years, renewable forever, for sewerage, drainage and highway purposes only, that portion of the Ohio canal situated as above described and not under any existing lease, and that portion of said canal lands not used for the purposes herein specified shall remain and be the property of the state.

Lease for 99 years to county of Summit and city of Akron for sewerage and drainage.

SECTION 4. The county of Summit and the city of Akron shall provide within the portion of the canal lands above described where necessary, a conduit of sufficient capacity to take care of the waters of the Ohio canal when such canal land is used for the purposes described in this act. It shall be a further condition of such leases that they shall be cancelled and such lands revert to the state when no longer used for the purposes herein described, or if such lands are not used within five years from and after the execution of the lease herein provided for.

Conduit constructed by county and city.

SECTION 5. The county commissioners of Summit county and the council of Akron shall have the right to remove all existing bridges crossing such abandoned canal over which highways or streets pass, and to grade such highways and streets by filling and grading across the channel and banks thereof, but must provide for all necessary drainage underneath the same in accordance with plans and specifications to be approved by the superintendent of public works.

Removal of bridges over abandoned portion, authorized.

SECTION 6. Plans showing the location of said sewers, drainage construction and highways on the property herein provided to be leased from the state, shall be filed with the superintendent of public works, within eighteen months after the completion of the construction of the sewers, drainage pipes and highways, and no material changes in

Plans of sewers, drainage, highways, etc., filed with superintendent of public works.

the location of sewers, drainage pipes and highways, shall be made until new plans showing such proposed changes have been filed with the superintendent of public works, but before the work of improving the canal property herein described is commenced, plans and specifications for the construction and maintenance for all sewers, drains and fills affecting the drainage of the canal proper shall be filed with and duly approved by the Superintendent of the Public Works of the State of Ohio, and the County of Summit and the city of Akron, shall be jointly responsible for all damages arising from faulty construction and maintenance of such sewers, drains and fills.

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional number.  
JOHN G. FAICH,  
*Attorney  
General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 13, 1921.  
Approved May 28, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 31st day of May, A. D. 1921.

197 G.

[Re-amended Senate Bill No. 266.]

## AN ACT

To make general appropriations.

*Be it enacted by the General Assembly of the State of Ohio:*

General Approp-  
riations.

SECTION 1. The sums set forth herein designated "total personal service", "total maintenance" and "total additions and betterments", for the purposes therein specified, are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations for departments, commissions, bureaus, institutions, and offices, for the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, in so far as such funds are subject by law to appropriation and expenditure for the purposes herein mentioned, and to the extent that the monies to the credit of such specific funds on July 1, 1921, or which may be credited thereto prior to June 30, 1923, shall be sufficient to satisfy such appropriations. Any sums necessary to supply the balance of such appropriations are hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund, but no monies shall be taken from the general revenue fund to support the activities of the division of chief highway engineer in the department of highways and public works or the fish and

game division of the department of agriculture. The sums herein appropriated in the column designated "first year", or in the column designated "biennium" shall not be expended to pay liabilities or deficiencies existing prior to July 1, 1921, or incurred subsequent to June 30, 1923; those so appropriated in the column designated "second year" shall not be expended prior to July 1, 1922, nor to pay liabilities incurred subsequent to June 30, 1923.

General Approp-  
riations.

### ADJUTANT GENERAL.

	First Year	Second Year	Biennium
Maintenance—			
H. Fixed Charges and Contributions—			
H 8. Contributions—			
To cover expenses of a detail selected by the Adjutant General to represent the state at the port of debarkation and to escort to their final resting place such bodies of our soldiers, sailors, marines and nurses as are being returned from the battle fields of Europe to the state of Ohio: To be paid upon proper vouchers issued by the Adjutant General -----	\$7,500 00		
F. Contract and Open Order Service—			
F 9. General Plant—			
To uses and purposes of the Col. Wm. Jennings Memorial Commission for furnishing and improving Memorial building there is hereby appropriated-----	600 00		
Total maintenance-----	\$8,100 00		\$8,100 00
G. Additions and Betterments—			
G 2. Buildings—			
Armory at Shreve, Ohio-----			30,000 00
Armory at Dresden, Ohio-----			30,000 00
Armory at Steubenville, Ohio -----			50,000 00
Total additions and betterments-----			\$110,000 00

### SECRETARY OF STATE.

Personal Service—			
A 1. Salaries—			
Shipping clerk-----	\$1,500 00	\$1,500 00	
Total personal service-----	\$1,500 00	\$1,500 00	\$3,000 00

General Approp-  
riations.

## TREASURER OF STATE.

	First Year	Second Year	Biennium
Personal Service—			
A 1. Salaries—			
Grade II clerk-----	\$1,380 00	\$1,380 00	
Total personal service-----	\$1,380 00	\$1,380 00	\$2,760 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
For completion of vault-----	\$3,500 00	-----	\$3,500 00
Total additions and bet- terments -----	\$3,500 00	-----	\$3,500 00

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## DIVISION—STATE HOUSE AND GROUNDS.

Maintenance—			
F. Contract and Open Order Service—			
F 1. Repairs—			
Repairs and decoration of rotunda, corridors and skylights of State House-----	\$50,000 00	-----	
Total maintenance-----	\$50,000 00	-----	\$50,000 00
G. Additions and Betterments—			
G 2. Buildings—			
Committee rooms for the Senate and House of Rep- resentatives -----	-----	-----	75,000 00
G 3. Miscellaneous—			
G 32. Other Capital Outlay—			
Railing along top of con- crete wall paralleling roadway at west end Grand Reservoir, Ce- lina, O-----	-----	-----	5,000 00
Concrete boat landing at Celina, Ohio-----	-----	-----	2,000 00
For gasoline dredge northern end Ohio canal-----	-----	-----	4,500 00
Total additions and bet- terments -----	-----	-----	\$86,500 00

## DIVISION—HARTMAN BUILDING.

Personal Service—			
A 1. Salaries—			
Engineer -----	\$1,450 00	\$1,450 00	
Assistant engineer-----	1,200 00	1,200 00	
Watchman and fireman-----	1,200 00	1,200 00	
Head janitor-----	1,100 00	1,100 00	
2 Elevator attendants-----	2,040 00	2,040 00	
2 Janitors-----	2,040 00	2,040 00	
Total personal service-----	\$9,030 00	\$9,030 00	\$18,060 00

## DIVISION—HARTMAN BUILDING—Concluded.

General Appropriations.

	First Year	Second Year	Biennium
Maintenance—			
C Supplies—			
C 3. Fuel -----	\$5,000 00	\$5,000 00	
C 6. Cleaning -----	500 00	500 00	
C 11. General plant-----	400 00	400 00	
Total -----	\$5,900 00	\$5,900 00	
E. Equipment—Replacement—			
E 9. General plant-----	\$500 00	\$500 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$1,000 00	\$1,000 00	
F 3. Water -----	1,000 00	1,000 00	
F 4. Light, heat and power	5,000 00	5,000 00	
F 5. Express, freight and drayage -----	200 00	200 00	
Total -----	\$7,200 00	\$7,200 00	
Total maintenance-----	\$13,600 00	\$13,600 00	\$27,200 00
Total division— Hartman building -----	\$22,630 00	\$22,630 00	\$45,260 00

## DEPARTMENT OF INDUSTRIAL RELATIONS.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
For uses and purposes of Department of Industrial Relations, Division of Workmen's Compensation in carrying into effect provision of law enacted by the eighty-fourth Gen- eral Assembly relating to compensation for occupa- tional diseases -----	\$20,000 00	\$20,000 00	
Total maintenance-----	\$20,000 00	\$20,000 00	\$40,000 00

## DEPARTMENT OF PUBLIC WELFARE.

## OHIO STATE SANATORIUM.

Personal Service—			
A 3. Unclassified—			
Religious service and enter- tainment of patients-----	\$250 00	\$250 00	
Total personal service -----	\$250 00	\$250 00	\$500 00

General Approp-  
riations.

## DEPARTMENT OF EDUCATION.

## DIVISION OF PUBLIC INSTRUCTION.

	First Year	Second Year	Biennium
Maintenance—			
F. Contract and Open Order Service—			
F 9. For the printing and distribution of text books on fire prevention.....	\$15,000 00	-----	\$15,000 00
Total maintenance.....	\$15,000 00	-----	\$15,000 00

## BOWLING GREEN STATE NORMAL SCHOOL.

G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Installation of 200 H. P. boiler .....	-----	-----	\$1,800 00
Total additions and bet- terments .....	-----	-----	\$1,800 00

## AMERICANIZATION COMMISSION.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
To carry on work from July 1, 1921, to August 15, 1921 .....	\$1,500 00	-----	\$1,500 00
Total maintenance.....	\$1,500 00	-----	\$1,500 00

## STATE MEDICAL BOARD.

Personal Service—			
A 3. Unclassified—			
Special investigations and prosecutions .....	\$6,000 00	-----	\$6,000 00
Total personal service..	\$6,000 00	-----	\$6,000 00

## TREASURER CITY OF TOLEDO.

Maintenance—			
H. Fixed Charges and Contri- butions—			
H 8. Contributions—			
Improvement of Detroit Ave. from Glendale Ave. to Wayne St. in the city of Toledo, Ohio. To be paid upon estimates ap- proved by the State High- way Engineer.....	\$50,000 00	-----	\$50,000 00
Total maintenance.....	\$50,000 00	-----	\$50,000 00

## WM. HENRY HARRISON MEMORIAL COMMISSION.

General Appropriations.

	First Year	Second Year	Biennium
Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
For the uses and purposes of Wm. Henry Harrison Memorial Commission as provided for by an act of the General Assembly, (O. L. 108, Part I, Page 284)	\$600 00	\$600 00	
Total maintenance.....	\$600 00	\$600 00	\$1,200 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 32. Other Capital Outlay—			
For additional improvements of grounds and tomb of Wm. Henry Harrison .....	-----	-----	\$1,800 00
Total additions and betterments .....	-----	-----	\$1,800 00

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

G. Additions and Betterments—			
G 1. Lands—			
Reappropriation of item in H. B. No. 558, eighty-third G. A. for purchase of two lots in the village of Celina, Ohio.....	-----	-----	\$3,000 00
Total additions and betterments .....	-----	-----	\$3,000 00

## BOWLING GREEN STATE NORMAL SCHOOL.

G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Reappropriation of item in H. B. No. 536, eighty-third G. A. for 200 H. P. boiler .....	-----	-----	\$6,000 00
Total additions and betterments .....	-----	-----	\$6,000 00

## OHIO CO-OPERATIVE TOPOGRAPHIC SURVEY.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
To complete final report balance of funds in H. B. 558, eighty-third G. A. are hereby reappropriated....	\$12,000 00	-----	\$12,000 00
Total maintenance....	\$12,000 00	-----	\$12,000 00

General Approp-  
riations.

## ADJUTANT GENERAL.

	First Year	Second Year	Biennium
Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
Reappropriating for Mili- tary Register of Veterans of World War (S. B. 63, 83rd G. A.)-----	\$44,871 56	-----	\$44,871 56
Total maintenance---	\$44,871 56	-----	\$44,871 56
G. Additions and Betterments—			
G 2. Buildings—			
There is hereby reappro- priated for the construc- tion of an armory and memorial at Chillicothe, Ohio -----	-----	-----	\$15,000 00
Total additions and betterments -----	-----	-----	\$15,000 00
To construct and equip an armory building in Youngstown, Ohio—			
Reappropriating -----	-----	-----	\$100,000 00
<p>Provided, however, that above shall not be avail- able until the citizens of Youngstown shall have deeded to the state of Ohio a lot suitable for a site for such armory and until the Adjutant General of Ohio shall have ac- cepted the same; and, provided, further that the above amount shall not be available until the citizens of Youngstown shall have contributed \$100,000.00 to- ward the construction and equipment of such armory.</p>			

## WM. HENRY HARRISON MEMORIAL COMMISSION.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
For the uses and purposes of the Wm. Henry Har- rison Memorial Commis- sion for the purpose of carrying out the provi- sions of H. B. 488, 83rd G. A. (O. L. 108, Part I, Page 284) there is here- by reappropriated the sum of -----	\$9,093 23	-----	\$9,093 23
Total additions and bet- terments -----	\$9,093 23	-----	\$9,093 23



SECTION 2. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Amended H. B. No. 301 entitled "An act to make general appropriations" passed by the 84th General Assembly May 12th, 1921, shall apply to and govern the appropriations made herein with the same force and effect as to the appropriations made in said original act hereinbefore cited.

General Approp-  
riations.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 14, 1921.

Approved June 2, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 2nd day of June, A. D. 1921.

198 G.

[House Bill No. 301.]

## AN ACT

To make general appropriations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The sums set forth herein designated "Total Personal Service", "Total Maintenance" and "Total Additions and Betterments", for the purposes therein specified, are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations for departments, commissions, bureaus, institutions, and offices, for the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, insofar as such funds are subject by law to appropriation and expenditure for the purposes herein mentioned, and to the extent that the monies to the credit of such specific funds on July 1, 1921, or which may be credited thereto prior to June 30, 1923, shall be sufficient to satisfy such appropriations. Any sums necessary to supply the balance of such appropriations are hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund, but no monies shall be taken from the general revenue fund to support the activities of the division of chief highway engineer in the department of highways and public works or the fish and game division of the department of agriculture. The sums herein appropriated in the column designated "First Year", or in the column designated "Biennium" shall not be expended to pay liabilities or deficiencies existing prior to July 1, 1921, or incurred subsequent to June 30, 1923;

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional number.  
JOHN G. PRICH,  
Attorney  
General.

General Appropriations.

those so appropriated in the column designated "Second Year" shall not be expended prior to July 1, 1922, nor to pay liabilities incurred subsequent to June 30, 1923.

#### THE JUDICIARY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Chief Justice .....	\$9,000 00	\$9,000 00	
6 Justices of Supreme Court..	45,000 00	46,000 00	
24 Judges Court of Appeals...	152,000 00	168,000 00	
127 Judges Court of Common Pleas .....	381,000 00	381,000 00	
3 Judges Superior Court.....	9,000 00	9,000 00	
8 Stenographers.....	14,400 00	14,400 00	
Total personal service...	\$610,400 00	\$627,400 00	\$1,237,800 00
Maintenance—			
F. Contract and Open Order Service—			
F 6. Traveling expense.....	\$16,000 00	\$16,000 00	
Total maintenance.....	\$16,000 00	\$16,000 00	\$32,000 00
Total The Judiciary....	\$626,400 00	\$643,400 00	\$1,269,800 00

#### SUPREME COURT AND LAW LIBRARY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Marshal and law librarian...	\$2,500 00	\$2,500 00	
Assistant librarian and chief clerk .....	2,000 00	2,000 00	
2 Assistant librarians.....	2,940 00	2,940 00	
1st Deputy marshal.....	2,000 00	2,000 00	
2nd Deputy marshal.....	1,440 00	1,440 00	
3rd Deputy marshal.....	1,440 00	1,440 00	
Secretary .....	2,200 00	2,200 00	
3 Secretaries .....	6,000 00	6,000 00	
3 Porters .....	3,780 00	3,780 00	
Total .....	\$24,300 00	\$24,300 00	
A 2. Wages .....	200 00	200 00	
Total personal service...	\$24,500 00	\$24,500 00	\$49,000 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$435 00	\$435 00	
C 4-a Postage .....	270 00	270 00	
C 6. Cleaning .....	115 00	115 00	
C 11. General plant.....	65 00	60 00	
Total .....	\$885 00	\$880 00	
D. Materials—			
D 3. General plant.....	\$25 00	\$25 00	
E. Equipment—Replacement—			
E 1. Office .....	\$140 00	\$290 00	
E 8. Educational .....	3,300 00	3,500 00	
E 9. General plant.....	60 00	50 00	
Total .....	\$3,500 00	\$3,840 00	

## SUPREME COURT AND LAW LIBRARY—Concluded.

General Appropriations.

	First Year.	Second Year.	Biennium.
F. Contract and Open Order Service—			
F 1. Repairs .....	\$150 00	\$160 00	
F 5. Express, freight and drayage .....	20 00	20 00	
F 6. Traveling expense .....	50 00	50 00	
F 7. Communication .....	1,340 00	1,340 00	
F 8. Contingencies .....	100 00	100 00	
F 9. General plant .....	210 00	210 00	
Total .....	\$1,870 00	\$1,880 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$20 00	\$20 00	
Total maintenance .....	\$6,300 00	\$6,645 00	\$12,945 00
Total maintenance and operation .....	\$30,800 00	\$31,145 00	\$61,945 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....	-----	-----	\$40 00
Total additions and betterments .....	-----	-----	\$40 00
Total Supreme Court and law library .....	-----	-----	\$61,985 00

## CLERK OF THE SUPREME COURT.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Clerk .....	\$4,000 00	\$4,000 00	
1st Deputy clerk .....	2,100 00	2,100 00	
2nd Deputy clerk .....	1,800 00	1,800 00	
Correspondence clerk .....	1,500 00	1,500 00	
Messenger .....	1,080 00	1,080 00	
Total personal service..	\$10,480 00	\$10,480 00	\$20,960 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$150 00	\$150 00	
C 4-a. Postage .....	200 00	200 00	
Total .....	\$350 00	\$350 00	
E. Equipment—Replacement—			
E 1. Office .....	\$75 00	\$75 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$15 00	\$15 00	
F 5. Express freight and drayage .....	15 00	15 00	
F 7. Communication .....	225 00	225 00	
F 9. General plant .....	25 00	25 00	
Total .....	\$280 00	\$280 00	
Total maintenance .....	\$705 00	\$705 00	1,410 00
Total clerk of the Supreme Court .....	\$11,185 00	\$11,185 00	\$22,370 00

## General Appropriations.

## SUPREME COURT REPORTER.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Reporter .....	\$3,000 00	\$3,000 00	
2 Assistant reporters.....	4,000 00	4,000 00	
Clerk .....	1,600 00	1,600 00	
Total personal service..	\$8,600 00	\$8,600 00	\$17,200 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$60 00	\$60 00	
C 4-a. Postage .....	50 00	50 00	
Total .....	\$110 00	\$110 00	
E. Equipment—Replacement—			
E 1. Office .....	\$100 00	\$100 00	
F. Contract and Open Order Service—			
F 7. Communication .....	\$90 00	\$90 00	
F 8. Contingencies .....	50 00	50 00	
F 9. General plant.....	75 00	50 00	
Total .....	\$215 00	\$190 00	
* Total maintenance.....	\$425 00	\$400 00	825 00
Total Supreme Court reporter .....	\$9,025 00	\$9,000 00	\$18,025 00

## SENATE.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
37 Senators .....	\$37,000 00	-----	
34 Senators .....	-----	\$34,000 00	
Lieutenant Governor.....	1,500 00	2,000 00	
Clerk .....	4,095 00	4,095 00	
Recording clerk.....	-----	1,000 00	
Assistant clerk.....	2,190 00	2,190 00	
Clerk-stenographer .....	1,800 00	1,800 00	
Stenographer for Lieutenant-Governor and senators.....	1,200 00	1,200 00	
Custodian .....	1,800 00	1,800 00	
Porter .....	1,080 00	1,080 00	
Total .....	\$50,665 00	\$49,165 00	
A 2. Wages—			
4 Clerks .....	-----	\$4,000 00	
3 Assistant clerks.....	-----	2,160 00	
4 Assistant sergeants-at-arms .....	-----	2,880 00	
2 Doorkeepers .....	-----	1,200 00	
3 Committee room attendants .....	-----	1,800 00	
2 Telephone attendants .....	-----	1,200 00	
7 Stenographers .....	-----	4,200 00	
4 Pages .....	-----	1,200 00	
2 Porters .....	-----	960 00	
Total .....	-----	\$19,600 00	
Total personal service..	\$50,665 00	\$68,765 00	\$119,430 00

## SENATE—Concluded.

General Approp-  
riations.

	First Year	Second Year.	Biennium.
Maintenance—			
C. Supplies—			
C 4. Office .....	\$100 00	\$800 00	
C 4-a. Postage .....	50 00	1,000 00	
C 6. Cleaning .....	50 00	150 00	
Total .....	\$200 00	\$1,950 00	
E. Equipment—Replacement—			
E 1. Office .....	\$100 00	\$100 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$200 00	-----	
F 6. Traveling Expense—			
Mileage of members .....	-----	\$3,600 00	
F 7. Communication .....	150 00	1,000 00	
F 8. Contingencies .....	150 00	300 00	
F 9. General Plant—			
Expense of legislative committees .....	2,000 00	1,000 00	
Expense of joint committees .....	2,500 00	1,000 00	
Total .....	\$5,000 00	\$6,900 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	-----	\$150 00	
H 8. Contributions—			
Picture of members .....	-----	100 00	
Total .....	-----	\$250 00	
Total maintenance .....	\$5,300 00	\$9,200 00	14,500 00
Total Senate .....	\$55,965 00	\$77,965 00	\$133,930 00

## HOUSE OF REPRESENTATIVES.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
125 Members .....	\$125,000 00	-----	
130 Members .....	-----	\$130,000 00	
Clerk .....	4,095 00	4,095 00	
Deputy clerk .....	2,190 00	2,190 00	
Clerk-stenographer .....	2,520 00	2,520 00	
Custodian .....	1,800 00	1,800 00	
Porter .....	1,080 00	1,080 00	
Total .....	\$136,685 00	\$141,685 00	
A 2 Wages—			
10 Assistant clerks .....	-----	\$6,000 00	
Superintendent of stenographers .....	-----	600 00	
10 Stenographers .....	-----	6,000 00	
4 Sergeants-at-arms .....	-----	2,400 00	
Assistant postmaster .....	-----	600 00	
2 Telephone attendants .....	-----	960 00	
2 Cloak room attendants .....	-----	840 00	
5 Doorkeepers .....	-----	2,100 00	
5 Committee room attendants .....	-----	2,100 00	
5 Porters .....	-----	2,100 00	
10 Pages .....	-----	3,000 00	
Total .....	-----	\$26,700 00	

## General Appropriations.

## HOUSE OF REPRESENTATIVES—Concluded.

	First Year	Second Year.	Biennium.
A 3. Unclassified—			
Chaplain -----		\$300 00	
Labor -----		250 00	
Total -----		\$550 00	
Total personal service..	\$136,685 00	\$168,935 00	\$305,620 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$100 00	\$1,100 00	
C 4-a. Postage -----	20 00	400 00	
C 6. Cleaning -----	200 00	150 00	
C 11. General plant-----	300 00	150 00	
Total -----	\$620 00	\$1,800 00	
E. Equipment—Replacement—			
E 1. Office -----	\$250 00	\$200 00	
E 9. General plant-----	500 00	500 00	
Total -----	\$750 00	\$700 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$300 00	-----	
F 5. Express, freight and drayage -----	50 00	\$100 00	
F 6. Traveling expense -----	-----	22,000 00	
F 7. Communication -----	180 00	1,500 00	
F 8. Contingencies -----	500 00	500 00	
F 9. General Plant—			
Expense of legislative committees -----	3,000 00	3,000 00	
Printing enrolled bills-----	-----	2,500 00	
Legislative history-----	4,200 00	-----	
Total -----	\$8,230 00	\$29,600 00	
H. Fixed Charges and Contribution—			
H 6. Rent -----	-----	\$300 00	
H 8. Contributions -----	\$50 00	400 00	
Picture of members-----	300 00	-----	
Total -----	\$350 00	\$700 00	
Total maintenance-----	\$9,950 00	\$32,800 00	42,750 00
Total House of Representatives -----	\$146,635 00	\$201,735 00	\$348,370 00

## EXECUTIVE DEPARTMENT.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Governor -----	\$10,000 00	\$10,000 00	
Secretary to the Governor----	5,000 00	5,000 00	
Executive clerk-----	3,000 00	3,000 00	
Correspondence clerk-----	2,000 00	2,000 00	
Commission clerk-----	2,000 00	2,000 00	
Stenographer -----	1,600 00	1,600 00	
Messenger -----	1,560 00	1,560 00	
Total personal service..	\$25,160 00	\$25,160 00	\$50,320 00

## EXECUTIVE DEPARTMENT—Concluded.

General Approp-  
riations.

Maintenance—	First Year	Second Year.	Biennium.
C. Supplies—			
C 3. Fuel .....	\$25 00	\$25 00	
C 4. Office .....	1,000 00	1,000 00	
Total .....	\$1,025 00	\$1,025 00	
E. Equipment—Replacement—			
E 1. Office .....	\$500 00	\$500 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$200 00	\$200 00	
F 6. Traveling expense.....	500 00	500 00	
F 7. Communication .....	2,000 00	2,000 00	
F 8. Contingencies .....	7,000 00	7,000 00	
Total .....	\$9,700 00	\$9,700 00	
Total maintenance.....	\$11,225 00	\$11,225 00	22,450 00
Total executive department .....	\$36,385 00	\$36,385 00	\$72,770 00

## SECRETARY OF STATE.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Secretary of State.....	\$6,500 00	\$6,500 00	
Assistant secretary of state....	3,000 00	3,000 00	
Corporation advisor .....	3,000 00	3,000 00	
Statistician and editor of Ohio			
Laws .....	2,400 00	2,400 00	
Superintendent of distribution	1,800 00	1,800 00	
Stockman .....	1,500 00	1,500 00	
Cashier .....	2,750 00	2,750 00	
Grade III clerk.....	1,500 00	1,500 00	
Assistant recording clerk.....	1,500 00	1,500 00	
Grade II clerk.....	1,350 00	1,350 00	
Special statistician.....	2,000 00	2,000 00	
Grade II stenographer.....	1,080 00	1,080 00	
Grade III stenographer.....	1,080 00	1,080 00	
2 Grade I typists.....	2,160 00	2,160 00	
Stenographer .....	1,620 00	1,620 00	
Janitor and messenger.....	1,080 00	1,080 00	
2 Typists .....	2,040 00	2,040 00	
Total personal service.....	\$36,360 00	\$36,360 00	\$72,720 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$500 00	\$500 00	
C 4-a. Postage .....	2,000 00	2,000 00	
Total .....	\$2,500 00	\$2,500 00	
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$200 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$50 00	\$50 00	
F 7. Communication .....	900 00	900 00	
F 9. General Plant—			
Distribution of books.....	2,000 00	2,000 00	

## General Appropriations.

## SECRETARY OF STATE—Concluded.

	First Year	Second Year.	Biennium.
Printing and distributing constitutional amendments -----	20,000 00	20,000 00	
Total -----	\$22,950 00	\$22,950 00	
Total maintenance-----	\$25,650 00	\$25,650 00	51,300 00
Total Secretary of State	\$62,010 00	\$62,010 00	\$124,020 00

## SECRETARY OF STATE.

## AUTOMOBILE DEPARTMENT.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Registrar -----	\$3,000 00	\$3,000 00	
Cashier -----	2,400 00	2,400 00	
Chief clerk -----	1,800 00	1,800 00	
Bookkeeper -----	1,740 00	1,740 00	
Grade I clerk-----	1,560 00	1,560 00	
5 grade III clerks-----	6,240 00	6,240 00	
27 grade III clerks-----	22,860 00	22,860 00	
Grade IV clerk-----	600 00	600 00	
17 grade II typists-----	14,520 00	14,520 00	
Chief inspector-----	1,650 00	1,650 00	
3 inspectors -----	3,600 00	3,600 00	
Janitor and messenger-----	900 00	900 00	
2 grade IV bookkeepers-----	1,680 00	1,680 00	
Grade III stenographer-----	840 00	840 00	
Grade III bookkeeper-----	1,140 00	1,140 00	
Total -----	\$64,530 00	\$64,530 00	
A 2. Wages -----	2,000 00	2,000 00	
Total personal service--	\$66,530 00	\$66,530 00	\$133,060 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$2,000 00	\$2,000 00	
C 4a. Postage -----	12,000 00	12,000 00	
C 10. Motor vehicle-----	350 00	350 00	
C 11. General Plant—			
Automobile and motor-cycle tags-----	85,000 00	85,000 00	
Total -----	\$99,350 00	\$99,350 00	
D. Materials—			
D 3. General Plant—			
Print paper-----	\$3,500 00	\$3,500 00	
E. Equipment—Replacement—			
E 1. Office -----	\$1,000 00	\$1,000 00	
E 6. Motor vehicle-----	500 00	500 00	
Total -----	\$1,500 00	\$1,500 00	
F. Contract and Open Order Service—			
F 2. Motor vehicle repairs---	\$300 00	\$300 00	
F 5. Express, freight and drayage -----	800 00	900 00	
F 6. Traveling expense-----	3,000 00	3,000 00	



## SECRETARY OF STATE—Concluded.

General Appropriations.

## AUTOMOBILE DEPARTMENT—Concluded.

	First Year	Second Year.	Biennium.
F 7. Communication .....	1,200 00	1,200 00	
F 9. General plant .....	30,000 00	30,000 00	
Total .....	\$35,300 00	\$35,400 00	
Total maintenance .....	\$139,650 00	\$139,750 00	\$279,400 00
Total maintenance and operation .....	\$206,180 00	\$206,280 00	\$412,460 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Outlay—			
Filing cases .....			\$500 00
Typewriters .....			300 00
Desks .....			200 00
Typewriter tables .....			50 00
Total additions and betterments .....			\$1,050 00
Total automobile department .....			\$413,510 00

## ATTORNEY GENERAL.

	First Year.	Second Year	Biennium.
Personal Service—			
A 1. Salaries—			
Attorney General .....	\$6,500 00	\$6,500 00	
1st Assistant Attorney General .....	4,500 00	4,500 00	
2nd Assistant Attorney General .....	3,000 00	3,000 00	
Chief clerk .....	1,500 00	1,500 00	
Grade I clerk .....	2,000 00	2,000 00	
Secretary .....	1,800 00	1,800 00	
4 grade I stenographers .....	5,520 00	5,520 00	
3 grade II stenographers .....	3,600 00	3,600 00	
Grade II stenographer .....	1,080 00	1,080 00	
Clerk .....	840 00	840 00	
Total .....	\$30,340 00	\$30,340 00	
A 2. Wages—			
Extra stenographic work .....	\$1,500 00	\$1,500 00	
A 3. Unclassified—			
Special counsel .....	\$55,000 00	\$55,000 00	
Expense of investigation .....	2,500 00	2,500 00	
Costs in cases .....	3,500 00	3,500 00	
Total .....	\$61,000 00	\$61,000 00	
Total personal service .....	\$92,840 00	\$92,840 00	\$185,680 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,000 00	\$1,000 00	
C 4-a. Postage .....	725 00	725 00	
Total .....	\$1,725 00	\$1,725 00	

## General Appropriations.

## ATTORNEY GENERAL—Concluded.

	First Year	Second Year.	Biennium.
E. Equipment—Replacement—			
E 1. Office .....	\$400 00	\$400 00	
E 9. General plant.....	300 00	300 00	
Total .....	\$700 00	\$700 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$100 00	\$100 00	
F 5. Express, freight and drayage .....	15 00	15 00	
F 6. Traveling expense .....	3,000 00	3,000 00	
F 7. Communication .....	825 00	825 00	
F 9. General plant.....	50 00	50 00	
Total .....	\$3,990 00	\$3,990 00	
Total maintenance.....	\$6,415 00	\$6,415 00	\$12,830 00
Total Attorney General	\$99,255 00	\$99,255 00	\$198,510 00

## AUDITOR OF STATE.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Auditor .....	\$6,500 00	\$6,500 00	
Deputy auditor .....	4,500 00	4,500 00	
Chief clerk.....	2,800 00	2,800 00	
Cashier .....	2,240 00	2,240 00	
Secretary .....	2,240 00	2,240 00	
Grade I accountant.....	2,500 00	2,500 00	
4 Grade II examiners.....	7,000 00	7,000 00	
Deputy supervisor of school lands .....	2,000 00	2,000 00	
Auditor of revenues.....	1,600 00	1,600 00	
2 Auditors of disbursements.....	3,740 00	3,740 00	
4 Special Examiners.....	12,000 00	12,000 00	
Grade II accountant.....	2,040 00	2,040 00	
3 Grade III bookkeepers.....	4,520 00	4,520 00	
2 Typists.....	2,520 00	2,520 00	
Grade I stenographer.....	1,320 00	1,320 00	
Grade II stenographer.....	1,080 00	1,080 00	
Grade I clerk.....	1,600 00	1,600 00	
3 Grade II clerks.....	4,600 00	4,600 00	
2 Grade III clerks.....	2,520 00	2,520 00	
Grade IV clerk.....	1,200 00	1,200 00	
Janitor .....	720 00	720 00	
Total .....	\$69,240 00	\$69,240 00	
A 3. Unclassified .....	3,000 00	3,000 00	
Total personal service...	\$72,240 00	\$72,240 00	\$144,480 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,400 00	\$1,400 00	
E. Equipment—Replacement—			
E 1. Office .....	\$1,200 00	\$1,200 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$200 00	\$200 00	
F 6. Traveling expense.....	2,000 00	2,000 00	

## AUDITOR OF STATE—Concluded.

General Appropriations.

	First Year	Second Year.	Biennium.
F 7. Communication -----	600 00	600 00	
F 8. Contingencies -----	1,500 00	1,500 00	
F 9. General plant -----	500 00	500 00	
Total -----	<u>\$4,800 00</u>	<u>\$4,800 00</u>	
Total maintenance -----	\$7,400 00	\$7,400 00	14,800 00
Total Auditor of State..	\$79,640 00	\$79,640 00	<u>\$159,280 00</u>

## AUDITOR OF STATE.

## BUREAU OF INSPECTION AND SUPERVISION OF PUBLIC OFFICES.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
2 Deputy supervisors -----	\$8,000 00	\$8,000 00	
Grade I clerk -----	2,000 00	2,000 00	
Secretary -----	1,750 00	1,750 00	
Clerk-multigraph operator ---	1,200 00	1,200 00	
Janitor -----	360 00	360 00	
Total personal service ---	<u>\$13,310 00</u>	<u>\$13,310 00</u>	\$26,620 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$1,000 00	\$1,000 00	
E. Equipment—Replacement—			
E 1. Office -----	\$400 00	\$400 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$50 00	\$50 00	
F 5. Express, freight and drayage -----	30 00	30 00	
F 6. Traveling expense -----	2,500 00	2,500 00	
F 7. Communication -----	350 00	350 00	
F 8. Contingencies -----	100 00	100 00	
F 9. General plant -----	500 00	500 00	
Total -----	<u>\$3,530 00</u>	<u>\$3,530 00</u>	
I. Rotary—			
Total maintenance ----	\$4,930 00	\$4,930 00	9,860 00
Total maintenance and operation -----	<u>\$18,240 00</u>	<u>\$18,240 00</u>	\$36,480 00
G. Additions and Betterments—			
G 3 Miscellaneous—			
G 31. Capital Equipment—			
Filing cabinets -----			\$400 00
Other equipment -----			100 00
Total additions and betterments -----			<u>\$500 00</u>
Total bureau of inspection and supervision of public offices ----			<u>\$36,980 00</u>

## General Appropriations.

## TREASURER OF STATE.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Treasurer .....	\$6,500 00	\$6,500 00	
Cashier .....	4,500 00	4,500 00	
Chief clerk .....	3,000 00	3,000 00	
Bond clerk .....	2,500 00	2,500 00	
Grade II clerk .....	1,620 00	1,620 00	
Correspondence clerk .....	1,620 00	1,620 00	
Grade I bookkeeper .....	2,100 00	2,100 00	
3 grade II bookkeepers .....	5,340 00	5,340 00	
Warrant bookkeeper .....	1,800 00	1,800 00	
Messenger and janitor .....	1,200 00	1,200 00	
2 night watchmen .....	3,000 00	3,000 00	
Total personal service--	\$33,180 00	\$33,180 00	\$66,360 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,000 00	\$1,000 00	
C 4-a. Postage .....	3,500 00	3,500 00	
Total .....	\$4,500 00	\$4,500 00	
E. Equipment—Replacement—			
E 1. Office .....	\$400 00	\$400 00	
F. Contract and Open Order Service—			
F 7. Communication .....	\$350 00	\$350 00	
F 9. General plant .....	50 00	50 00	
Total .....	\$400 00	\$400 00	
H. Fixed Charges and Contributions—			
H 7. Insurance—			
Premium on treasurer's bond .....	\$1,800 00	\$1,800 00	
Premium on cashier's bond .....	300 00	300 00	
Premium on employes insurance .....	1,800 00	1,800 00	
Insuring and registering mail .....	600 00	600 00	
Total .....	\$4,500 00	\$4,500 00	
Total maintenance.....	\$9,800 00	\$9,800 00	19,600 00
Total maintenance and operation .....	\$42,980 00	\$42,980 00	\$85,960 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....			\$886 25
Total additions and betterments .....			\$886 25
Total Treasurer of State.....			\$86,846 25

## DEPARTMENT OF FINANCE.

General Appropriations.

## ADMINISTRATION.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
Superintendent of budget.....	4,000 00	4,000 00	
Superintendent of purchases and printing.....	5,000 00	5,000 00	
Assistant superintendent of purchases and printing.....	3,000 00	3,000 00	
Assistant superintendent of budget .....	2,240 00	2,240 00	
Chief clerk.....	2,000 00	2,000 00	
Bookkeeper .....	1,800 00	1,800 00	
Bookkeeper .....	1,500 00	1,500 00	
Grade I stenographer.....	1,380 00	1,380 00	
Grade I clerk.....	1,680 00	1,680 00	
2 grade II clerks.....	2,520 00	2,520 00	
Grade III clerk.....	900 00	900 00	
Grade II stenographer.....	1,080 00	1,080 00	
3 grade III stenographers.....	2,520 00	2,520 00	
Total personal service...	\$36,120 00	\$36,120 00	\$72,240 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,300 00	\$1,300 00	
C 4-a. Postage .....	1,500 00	1,500 00	
C 6. Cleaning .....	15 00	15 00	
C 11. General plant.....	50 00	50 00	
Total .....	\$2,865 00	\$2,865 00	
D. Materials—			
D 3. General Plant—			
Printing paper.....	\$100,000 00	\$90,000 00	
Printing paper—Experi- ment station.....	1,500 00	1,500 00	
Total .....	\$101,500 00	\$91,500 00	
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$200 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$50 00	\$50 00	
F 5. Express, freight and drayage .....	10 00	10 00	
F 6. Traveling Expense.....	700 00	700 00	
F 7. Communication .....	700 00	700 00	
F 9. General Plant.....	225 00	225 00	
State printing.....	95,000 00	95,000 00	
Republishing Howe's History of Ohio, to be prorated among the legislative districts of the state and to be distributed by members of the General Assembly to schools, libraries, etc..	10,000 00		
Total .....	\$106,685 00	\$96,685 00	

General Appropriations.

## DEPARTMENT OF FINANCE.

## ADMINISTRATION—Concluded.

	First Year	Second Year.	Biennium.
H. Fixed charges and contributions—			
H 7. Insurance .....	\$25 00	\$25 00	
Total maintenance....	\$211,275 00	\$191,275 00	\$402,550 00
Total maintenance and operation .....	\$247,395 00	\$227,395 00	\$474,790 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....	-----	-----	\$200 00
Total addition and betterments .....	-----	-----	\$200 00
Total Administration—			
Department of finance....	-----	-----	\$474,990 00

## DEPARTMENT OF FINANCE.

## DIVISION—STATE BINDERY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Foreman .....	\$2,400 00	\$2,400 00	
Stenographer and bookkeeper .....	1,200 00	1,200 00	
Forelady .....	1,002 00	1,002 00	
13 Bindery workers.....	11,196 00	11,196 00	
2 Rulers.....	4,160 00	4,160 00	
Stamper .....	2,080 00	2,080 00	
Job forwarder.....	2,080 00	2,080 00	
Machinist .....	2,080 00	2,080 00	
Blank book forwarder.....	2,080 00	2,080 00	
Finisher .....	2,080 00	2,080 00	
Folding machine operator....	2,080 00	2,080 00	
10 Edition forwarders.....	20,800 00	20,800 00	
Messenger .....	1,080 00	1,080 00	
Elevator operator.....	1,080 00	1,080 00	
Janitor .....	1,080 00	1,080 00	
Total personal service..	\$56,478 00	\$56,478 00	\$112,956 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$30 00	\$30 00	
C 4-a Postage .....	10 00	10 00	
C 6. Cleaning .....	10 00	10 00	
C 10. Motor vehicle.....	200 00	200 00	
C 11. General plant .....	11,000 00	11,000 00	
Total .....	\$11,250 00	\$11,250 00	
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$200 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$300 00	\$300 00	
F 4. Light, heat and power..	400 00	400 00	
F 5. Express, freight and drayage .....	200 00	200 00	
F 7. Communication .....	200 00	200 00	
Total .....	\$1,100 00	\$1,000 00	

## DEPARTMENT OF FINANCE.

General Appropriations.

## DIVISION—STATE BINDERY—Concluded.

H. Fixed Charges and Contributions—	First Year	Second Year.	Biennium.
H 6. Rent -----	\$4,100 00	\$4,100 00	
Total maintenance -----	\$16,650 00	\$16,650 00	33,300 00
Total maintenance and operation -----	\$73,128 00	\$73,128 00	\$146,256 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
2 Ruling machine feeders-----			\$4,000 00
Folding machine-----			3,000 00
Ford truck-----			600 00
Total additions and betterments-----			\$7,600 00
Total division state bindery-----			\$153,856 00

## DEPARTMENT OF FINANCE.

## DIVISION—TAX COMMISSION.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
3 Commissioners -----	\$12,000 00	\$12,000 00	
Auditor -----	3,600 00	3,600 00	
Special accountant-----	3,000 00	3,000 00	
Corporation accountant-----	2,700 00	2,700 00	
Assistant corporation accountant -----	1,200 00	1,200 00	
2 Special examiners-----	4,800 00	4,800 00	
3 Grade II accountants-----	6,200 00	6,200 00	
Junior accountant-----	1,200 00	1,200 00	
Grade I stenographer -----	1,380 00	1,380 00	
2 Grade II stenographers-----	2,280 00	2,280 00	
3 Grade III stenographers-----	3,000 00	3,000 00	
Stenographer -----	1,200 00	1,200 00	
2 Grade II typists-----	2,280 00	2,280 00	
Inheritance expert-----	3,000 00	3,000 00	
Total -----	\$47,840 00	\$47,840 00	
A 2. Wages -----	2,000 00	1,000 00	
A 3. Unclassified -----	500 00	500 00	
Total personal service -----	\$50,340 00	\$49,340 00	\$99,680 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$3,000 00	\$3,000 00	
E. Equipment—Replacement—			
E 1. Office -----	\$500 00	\$400 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$50 00	\$50 00	
F 6. Traveling expense -----	5,500 00	5,500 00	
F 7. Communication -----	800 00	800 00	
F 9. General plant-----	50 00	50 00	
Total -----	\$6,400 00	\$6,400 00	
Total maintenance-----	\$9,900 00	\$9,800 00	19,700 00
Total division — Tax Commission -----	\$60,240 00	\$59,140 00	\$119,380 00
Total Department of Finance-----			\$748,226 00

General Approp-  
riations.

## DEPARTMENT OF COMMERCE.

## ADMINISTRATION.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
Stenographer .....	1,260 00	1,260 00	
Messenger .....	1,080 00	1,080 00	
Total personal service.	\$8,840 00	\$8,840 00	\$17,680 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$100 00	\$100 00	
C 4-a. Postage .....	100 00	100 00	
C 11. General plant.....	500 00	500 00	
Total .....	\$700 00	\$700 00	
E. Equipment—Replacement—			
E 1. Office .....	\$50 00	\$50 00	
F. Contract and Open Order Service—			
F 6. Traveling expense.....	\$100 00	\$100 00	
F 7. Communication .....	200 00	200 00	
F 9. General plant.....	200 00	200 00	
Total .....	\$500 00	\$500 00	
H. Fixed Charges and Contributions—			
H 7. Insurance .....	\$25 00	\$25 00	
Total maintenance.....	\$1,275 00	\$1,275 00	2,550 00
Total maintenance and operation .....	\$10,115 00	\$10,115 00	\$20,230 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....			\$500 00
Total additions and betterments .....			\$500 00
Total administration—Department of commerce .....			\$20,730 00

## DEPARTMENT OF COMMERCE.

## DIVISION OF BANKS.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Superintendent .....	\$7,500 00	\$7,500 00	
Assistant superintendent.....	5,000 00	5,000 00	
Secretary .....	1,800 00	1,800 00	
Attorney .....	3,600 00	3,600 00	
2 grade I examiners.....	7,600 00	7,600 00	
2 grade II examiners.....	7,200 00	7,200 00	
2 grade II examiners.....	6,000 00	6,000 00	
5 grade II examiners.....	12,000 00	12,000 00	
4 grade II examiners.....	10,800 00	10,800 00	
Trust examiner.....	4,000 00	4,000 00	



## DEPARTMENT OF COMMERCE.

General Approp-  
riations.

## DIVISION OF BANKS—Concluded.

	First Year	Second Year.	Biennium.
Assistant trust examiner-----	2,400 00	2,400 00	
4 assistant examiners-----	7,200 00	7,200 00	
Grade III statistician-----	1,800 00	1,800 00	
Grade II clerk-----	1,500 00	1,500 00	
2 grade II stenographers-----	2,760 00	2,760 00	
2 grade II stenographers-----	2,400 00	2,400 00	
Total -----	\$83,560 00	\$83,560 00	
A 3. Unclassified—			
Messenger -----	\$200 00	\$200 00	
Foreign exchange inspection--	3,000 00	3,000 00	
Total -----	\$3,200 00	\$3,200 00	
Total personal service--	\$86,760 00	\$86,760 00	\$173,520 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$800 00	\$800 00	
C 4-a. Postage -----	1,200 00	1,200 00	
Total -----	\$2,000 00	\$2,000 00	
E. Equipment—Replacement—			
E 1. Office -----	\$950 00	\$950 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$100 00	\$100 00	
F 5. Express, freight and drayage -----	50 00	50 00	
F 6. Traveling expense-----	28,000 00	28,000 00	
F 7. Communication -----	1,000 00	1,000 00	
F 9. General plant-----	1,000 00	1,000 00	
Printing -----	6,500 00	6,500 00	
Total -----	\$36,650 00	\$36,650 00	
H. Fixed Charges and Contributions—			
H 6. Rent -----	\$900 00	\$900 00	
H 7. Insurance -----	900 00	900 00	
H 8. Contributions -----	20 00	20 00	
Total -----	\$1,820 00	\$1,820 00	
Total maintenance----	\$41,420 00	\$41,420 00	\$82,840 00
Total maintenance and operation -----	\$128,180 00	\$128,180 00	\$256,360 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment-----	-----	-----	\$300 00
Total additions and betterments -----	-----	-----	\$300 00
Total division of banks -----	-----	-----	\$256,660 00

## General Appropriations.

## DEPARTMENT OF COMMERCE.

## DIVISION OF BUILDING AND LOAN ASSOCIATIONS.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Superintendent .....	\$5,000 00	\$5,000 00	
Deputy inspector.....	2,400 00	2,400 00	
5 examiners.....	11,000 00	11,000 00	
5 examiners .....	10,000 00	10,000 00	
5 examiners.....	9,000 00	9,000 00	
Examiner .....	2,000 00	2,000 00	
Grade II accountant.....	1,800 00	1,800 00	
Statistician .....	1,800 00	1,800 00	
Typist clerk.....	1,200 00	1,200 00	
Total personal service--	\$44,200 00	\$44,200 00	\$88,400 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$125 00	\$125 00	
C 4-a. Postage .....	575 00	575 00	
Total .....	\$700 00	\$700 00	
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$200 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$15 00	\$15 00	
F 5. Express, freight and drayage .....	15 00	15 00	
F 6. Traveling expense.....	13,000 00	13,000 00	
F 7. Communication .....	250 00	250 00	
F 9. General plant.....	25 00	25 00	
Total .....	\$13,305 00	\$13,305 00	
Total maintenance.....	\$14,205 00	\$14,205 00	28,410 00
Total maintenance and operation .....	\$58,405 00	\$58,405 00	\$116,810 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....	-----	-----	\$200 00
Total additions and betterments .....	-----	-----	\$200 00
Total division of building and loan associations .....	-----	-----	\$117,010 00

## DEPARTMENT OF COMMERCE.

## DIVISION OF STATE FIRE MARSHAL.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Marshal .....	\$4,500 00	\$4,500 00	
2 deputy marshals.....	4,000 00	4,000 00	
Chief assistant.....	2,400 00	2,400 00	
Chief inspector.....	2,000 00	2,000 00	
Water supply engineer.....	2,000 00	2,000 00	
Electrical inspector.....	1,500 00	1,500 00	

## DEPARTMENT OF COMMERCE.

General Approp-  
riations.

## DIVISION OF STATE FIRE MARSHAL—Concluded.

	First Year	Second Year.	Biennium.
30 assistants.....	45,000 00	45,000 00	
Grade I clerk.....	1,980 00	1,980 00	
Statistician.....	1,400 00	1,400 00	
Record clerk.....	1,200 00	1,200 00	
Grade III clerk.....	900 00	900 00	
4 grade II stenographers....	4,320 00	4,320 00	
4 grade III stenographers....	3,600 00	3,600 00	
Secretary and stenographer..	1,500 00	1,500 00	
Total .....	\$76,300 00	\$76,300 00	
A 2. Wages .....	\$2,000 00	\$2,000 00	
A 3. Unclassified—			
Fees, mileage and maintenance, fire chiefs, mayors, township clerks and witnesses, special stenographers, legal fees, court costs	2,000 00	2,000 00	
Total personal service..	\$80,300 00	\$80,300 00	\$160,600 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,800 00	\$1,800 00	
C 4-a. Postage .....	3,000 00	3,000 00	
Total .....	\$4,800 00	\$4,800 00	
E. Equipment—Replacement—			
E 1. Office .....	\$500 00	\$500 00	
F. Contract and Open Order Service—			
F 4. Light, heat and power..	\$100 00	\$100 00	
F 5. Express, freight and drayage .....	10 00	10 00	
F 6. Traveling expense.....	25,000 00	25,000 00	
F 7. Communication .....	2,000 00	2,000 00	
F 9. General plant.....	3,000 00	3,000 00	
Total .....	\$30,110 00	\$30,110 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$3,000 00	\$3,000 00	
I. Rotary Fund—			
Total maintenance....	38,410 00	38,410 00	76,820 00
Total maintenance and operation .....	\$118,710 00	\$118,710 00	\$237,420 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....	-----	-----	\$1,000 00
Total additions and betterments .....	-----	-----	\$1,000 00
Total division of state fire marshal.....	-----	-----	\$238,420 00

General Approp-  
riations.

## DEPARTMENT OF COMMERCE.

## DIVISION OF INSURANCE.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Superintendent .....	\$5,000 00	\$5,000 00	
Deputy superintendent.....	3,000 00	3,000 00	
Rating clerk.....	3,000 00	3,000 00	
Warden .....	2,400 00	2,400 00	
Chief examiner.....	3,000 00	3,000 00	
5 examiners.....	9,600 00	9,600 00	
5 assistant examiners.....	7,860 00	7,860 00	
Actuary .....	4,000 00	4,000 00	
1st assistant actuary.....	1,800 00	1,800 00	
2 assistant actuaries.....	3,300 00	3,300 00	
Bookkeeper .....	2,400 00	2,400 00	
Assistant bookkeeper.....	1,260 00	1,260 00	
Grade II statistician.....	1,980 00	1,980 00	
Grade III statistician.....	1,680 00	1,680 00	
Secretary .....	1,560 00	1,560 00	
2 license clerks.....	3,890 00	3,890 00	
2 grade II clerks.....	2,280 00	2,280 00	
Grade II stenographer.....	1,140 00	1,140 00	
Grade III stenographer.....	900 00	900 00	
Grade IV clerk.....	600 00	600 00	
Total .....	\$60,650 00	\$60,650 00	
A 2. Wages—			
Extra clerks, part time.....	\$750 00	\$750 00	
Total personal service..	\$61,400 00	\$61,400 00	\$122,800 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$2,300 00	\$2,300 00	
E. Equipment—Replacement—			
E 1. Office .....	\$225 00	\$225 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$25 00	\$25 00	
F 5. Express, freight and drayage .....	25 00	25 00	
F 6. Traveling expense.....	9,000 00	9,000 00	
F 7. Communication .....	450 00	450 00	
F 9. General plant.....	75 00	75 00	
Total .....	\$9,575 00	\$9,575 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$3,000 00	\$3,000 00	
H 8. Contributions .....	250 00	250 00	
Total .....	\$3,250 00	\$3,250 00	
Total maintenance.....	\$15,350 00	\$15,350 00	30,700 00
Total maintenance and operation .....	\$76,750 00	\$76,750 00	\$153,500 00

## DEPARTMENT OF COMMERCE.

General Approp-  
riations.

## DIVISION OF INSURANCE—Concluded.

G. Additions and Betterments—	First Year	Second Year.	Biennium.
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....	-----	-----	<u>\$2,500 00</u>
Total additions and bet- terments .....	-----	-----	<u>\$2,500 00</u>
Total division of insur- ance .....	-----	-----	<u>\$156,000 00</u>

## DEPARTMENT OF COMMERCE.

## DIVISION—OIL INSPECTOR.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Chief clerk.....	\$1,500 00	\$1,500 00	
4 inspectors.....	6,000 00	6,000 00	
Total personal service..	<u>\$7,500 00</u>	<u>\$7,500 00</u>	<u>\$15,000 00</u>
Maintenance—			
C. Supplies—			
C 4. Office .....	\$100 00	\$100 00	
C 4-a. Postage .....	100 00	100 00	
C 11 General plant.....	100 00	100 00	
Total .....	<u>\$300 00</u>	<u>\$300 00</u>	
F. Contract and Open Order Service—			
F 6. Traveling expense.....	\$4,000 00	\$4,000 00	
F 7. Communication .....	200 00	200 00	
Total .....	<u>\$4,200 00</u>	<u>\$4,200 00</u>	
Total maintenance.....	<u>\$4,500 00</u>	<u>\$4,500 00</u>	<u>9,000 00</u>
Total oil inspector.....	<u>\$12,000 00</u>	<u>\$12,000 00</u>	<u>\$24,000 00</u>

## DEPARTMENT OF COMMERCE.

## DIVISION OF SECURITIES.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Chief of division.....	\$4,000 00	\$4,000 00	
Grade III bookkeeper.....	1,800 00	1,800 00	
Stenographer .....	1,500 00	1,500 00	
License clerk.....	1,080 00	1,080 00	
Grade II clerk.....	1,080 00	1,080 00	
Accountant .....	2,000 00	2,000 00	
Chief examiner.....	2,500 00	2,500 00	
Examiners .....	17,500 00	17,500 00	
4 grade III stenographers....	3,480 00	3,480 00	
Total personal service..	<u>\$34,940 00</u>	<u>\$34,940 00</u>	<u>\$69,880 00</u>
Maintenance—			
C. Supplies—			
C 4. Office .....	\$600 00	\$600 00	
C 4-a. Postage .....	1,200 00	1,200 00	
Total .....	<u>\$1,800 00</u>	<u>\$1,800 00</u>	

General Approp-  
riations.

## DEPARTMENT OF COMMERCE.

## DIVISION OF SECURITIES—Concluded.

	First Year	Second Year.	Biennium.
E. Equipment—Replacement—			
E 1. Office .....	\$150 00	\$150 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$15 00	\$15 00	
F 6. Traveling expense.....	13,000 00	13,000 00	
F 7. Communication .....	575 00	575 00	
F 9. General plant.....	100 00	100 00	
Total .....	\$13,690 00	\$13,690 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$2,400 00	\$2,400 00	
H 7. Insurance .....	200 00	200 00	
Total .....	\$2,600 00	\$2,600 00	
Total maintenance.....	\$18,240 00	\$18,240 00	\$36,480 00
Total maintenance and operation .....	\$53,180 00	\$53,180 00	\$106,360 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....	-----	-----	\$200 00
Total additions and betterments .....	-----	-----	\$200 00
Total division of securities .....	-----	-----	\$106,560 00

## DEPARTMENT OF COMMERCE.

## DIVISION OF PUBLIC UTILITIES.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
3 Commissioners.....	\$18,000 00	\$18,000 00	
Engine and boiler inspector..	2,000 00	2,000 00	
Inspector of automatic couplers .....	1,750 00	1,750 00	
Chief clerk.....	3,000 00	3,000 00	
Assistant clerk .....	2,400 00	2,400 00	
Attorney .....	4,000 00	4,000 00	
Superintendent Bureau of Rates and Service.....	4,000 00	4,000 00	
Auditor and statistician.....	3,000 00	3,000 00	
Inspector in charge.....	1,750 00	1,750 00	
5 Inspectors.....	8,750 00	8,750 00	
Grade I engineer.....	4,500 00	4,500 00	
2 Grade II engineers.....	6,000 00	6,000 00	
2 Grade III engineers.....	4,320 00	4,320 00	
3 Grade I clerks.....	5,280 00	5,280 00	
Grade II clerk.....	1,140 00	1,140 00	
4 Grade II stenographers.....	4,740 00	4,740 00	
Grade I telephone operator....	900 00	900 00	
Grade I typist.....	1,400 00	1,400 00	
Total .....	\$76,930 00	\$76,930 00	
A 3. Unclassified—			
Reporting hearings and transcribing testimony.....	4,000 00	4,000 00	
Total personal service....	\$80,930 00	\$80,930 00	\$161,860 00

## DEPARTMENT OF COMMERCE.

General Appropriations.

## DIVISION OF PUBLIC UTILITIES—Concluded.

Maintenance—	First Year	Second Year.	Biennium.
C. Supplies—			
C 4. Office -----	\$475 00	\$475 00	
C 4-a. Postage -----	725 00	725 00	
Total -----	\$1,200 00	\$1,200 00	
E. Equipment—Replacement—			
E 1. Office -----	\$750 00	\$750 00	
E 9. General plant-----	50 00	50 00	
Total -----	\$800 00	\$800 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$25 00	\$25 00	
F 5. Express, freight and drayage -----	25 00	25 00	
F 6. Traveling expense-----	10,000 00	10,000 00	
F 7. Communication -----	1,600 00	1,600 00	
F 9. General plant-----	150 00	150 00	
Total -----	\$11,800 00	\$11,800 00	
H. Fixed Charges and Contributions—			
H 7. Insurance -----	60 00	60 00	
Total maintenance-----	\$13,860 00	\$13,860 00	27,720 00
Total maintenance and operation -----	\$94,790 00	\$94,790 00	\$189,580 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Legal publications -----			\$250 00
Other -----			100 00
Total additions and betterments -----			\$350 00
Total Division of Public Utilities-----			\$189,930 00

## DEPARTMENT OF COMMERCE.

## DIVISION OF PHYSICAL VALUATION OF PUBLIC UTILITIES.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
7 Grade III engineers-----	\$13,920 00	\$13,920 00	
13 Grade IV engineers-----	23,400 00	23,400 00	
10 Grade II clerks-----	13,800 00	13,800 00	
Grade II stenographer-----	1,080 00	1,080 00	
Total -----	\$52,200 00	\$52,200 00	
A 3. Unclassified—			
Additional help -----	\$2,000 00	\$2,000 00	
Total personal service--	\$54,200 00	\$54,200 00	\$108,400 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$250 00	\$250 00	

## General Appropriations.

## DEPARTMENT OF COMMERCE—Concluded.

## DIVISION OF PHYSICAL VALUATION OF PUBLIC UTILITIES—Concluded.

	First Year	Second Year.	Biennium.
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$200 00	
E 9. General plant.....	50 00	50 00	
Total .....	\$250 00	\$250 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$50 00	\$50 00	
F 5. Express, freight and drayage .....	10 00	10 00	
F 6. Traveling expense .....	12,000 00	12,000 00	
F 7. Communication .....	175 00	175 00	
F 9. General plant.....	25 00	25 00	
Total .....	\$12,260 00	\$12,260 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$150 00	\$150 00	
Total maintenance.....	\$12,910 00	\$12,910 00	25,820 00
Total maintenance and operation .....	\$67,110 00	\$67,110 00	\$134,220 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....			\$150 00
Total additions and betterments.....			\$150 00
Total Division of Physical Valuation of Public Utilities .....			\$134,370 00
Total Department of Commerce.....			\$1,243,680 00

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## ADMINISTRATION.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Director (\$5,000.00 each year payable from highway fund)	\$6,500 00	\$6,500 00	
State architect and engineer..	4,000 00	4,000 00	
Superintendent .....	4,000 00	4,000 00	
Secretary .....	2,000 00	2,000 00	
Grade IV engineer.....	2,400 00	2,400 00	
Grade IV engineer.....	1,800 00	1,800 00	
Grade V engineer.....	1,500 00	1,500 00	
Clerk-stenographer .....	1,200 00	1,200 00	
2 Grade III stenographers...	1,920 00	1,920 00	
Grade IV clerk.....	840 00	840 00	
8 Foremen .....	9,660 00	9,660 00	
39 Patrolmen.....	11,430 00	11,430 00	
4 Policemen.....	3,420 00	3,420 00	
Total .....	\$50,670 00	\$50,670 00	
A 2. Wages .....	30,000 00	30,000 00	
Total personal service..	\$80,670 00	\$80,670 00	\$161,340 00



## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

General Appropriations.

## ADMINISTRATION—Continued.

	First Year.	Second Year.	Biennium.
Maintenance—			
C. Supplies—			
C 3. Fuel .....	\$3,000 00	\$3,000 00	
C 4. Office .....	200 00	200 00	
C 4-a. Postage .....	250 00	250 00	
C 11. General plant.....	1,000 00	1,000 00	
Total .....	\$4,450 00	\$4,450 00	
D. Materials—			
D 3. General plant.....	\$2,500 00	\$2,500 00	
E. Equipment—Replacement—			
E 1. Office .....	\$75 00	\$75 00	
E 9. General plant.....	2,500 00	500 00	
Total .....	\$2,575 00	\$575 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$300 00	\$300 00	
F 4. Light, heat and power....	60 00	60 00	
F 5. Express, freight and drayage .....	75 00	75 00	
F 6. Traveling expense.....	3,500 00	3,500 00	
F 7. Communication .....	800 00	800 00	
F 9. General plant.....	500 00	500 00	
Surveying and monumenting state line around Summit and Portage Lakes, Summit county.....	2,000 00	-----	
Draining, cleaning and grading 6,400 feet of canal through village of Dresden .....	2,000 00	-----	
Total .....	\$9,235 00	\$5,235 00	
Total maintenance.....	\$18,760 00	\$12,760 00	31,520 00
Total maintenance and operation .....	\$99,430 00	\$93,430 00	\$192,860 00
G. Additions and Betterments—			
G 2. Buildings—			
Boat and tool house Buckeye Lake .....	-----	-----	\$1,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Motor boat, Buckeye Lake .....	-----	-----	\$1,500 00
Motor boat, St. Marys .....	-----	-----	1,500 00
G 32. Other Capital Outlay—			
1,000 feet concrete wall, west bank Indian Lake.....	-----	-----	12,000 00
Concrete wall, Orchard Island, Buckeye Lake.....	-----	-----	1,000 00
Concrete waste-way, West Reservoir State Mill, Akron .....	-----	-----	6,000 00
Concrete waste-way, East Reservoir, State Mill, Akron .....	-----	-----	5,000 00
Reconstruction Tinker's creek aqueduct, O. & E. Canal, south of Cleveland .....	-----	-----	2,000 00

General Appropriations.

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## ADMINISTRATION—Concluded.

	First Year	Second Year.	Biennium.
Break water, Lake St. Marys -----	-----	-----	3,000 00
Timber Landing, Lakeview -----	-----	-----	1,000 00
Sluice gates end Brecksville feeder, south of Cleveland -----	-----	-----	2,000 00
Completing survey M. & E. canal, Minster, O., to Lockington, eighteen miles -----	-----	-----	1,000 00
New gates Brecksville feeder -----	-----	-----	2,500 00
Total additions and betterments -----	-----	-----	<u>\$39,500 00</u>
Total Administration—Department of Highways and Public Works -----	-----	-----	<u>\$232,360 00</u>

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## DIVISION OF HIGHWAYS.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
State highway engineer-----	\$5,000 00	\$5,000 00	
First assistant engineer-----	4,800 00	4,800 00	
3 Deputy highway engineers-----	13,500 00	13,500 00	
12 Resident deputy highway engineers -----	48,000 00	48,000 00	
Chief designing engineer-----	3,600 00	3,600 00	
2 Designing engineers-----	6,600 00	6,600 00	
Draftsman -----	2,100 00	2,100 00	
Checker -----	2,400 00	2,400 00	
Checker -----	2,280 00	2,280 00	
Stenographer -----	1,140 00	1,140 00	
3 Maintenance engineers-----	10,200 00	10,200 00	
4 Assistant maintenance engineers -----	9,300 00	9,300 00	
Garage superintendent-----	2,400 00	2,400 00	
Motor supply clerk-----	1,800 00	1,800 00	
2 Stenographers-----	2,280 00	2,280 00	
Testing engineer-----	3,600 00	3,600 00	
Personal investigating engineer -----	4,000 00	4,000 00	
First assistant testing engineer -----	2,400 00	2,400 00	
2 Assistant testing engineers-----	4,200 00	4,200 00	
Stenographer -----	1,140 00	1,140 00	
Auditor -----	4,000 00	4,000 00	
Bookkeeper -----	2,400 00	2,400 00	
2 Assistant bookkeepers-----	3,240 00	3,240 00	
Typist -----	1,200 00	1,200 00	
Stenographer -----	1,080 00	1,080 00	
Maintenance and repair auditor -----	1,500 00	1,500 00	
Assistant maintenance and repair auditor-----	1,380 00	1,380 00	
2 Stenographers-----	2,880 00	2,880 00	
2 Stenographers-----	2,160 00	2,160 00	
File clerk-----	1,500 00	1,500 00	
Stock room clerk-----	1,080 00	1,080 00	
Messenger -----	720 00	720 00	

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

General Appropriations.

## DIVISION OF HIGHWAYS—Continued.

	First Year.	Second Year.	Biennium.
Research engineer.....	3,000 00	3,000 00	
Traffic engineer.....	3,000 00	3,000 00	
Map engineer.....	2,040 00	2,040 00	
Detour engineer.....	1,680 00	1,680 00	
Progress engineer.....	2,040 00	2,040 00	
Federal plan engineer.....	2,290 00	2,290 00	
Clerk of sales.....	1,800 00	1,800 00	
Estimate clerk.....	1,800 00	1,800 00	
Assistant estimate clerk.....	1,080 00	1,080 00	
2 stenographers.....	2,880 00	2,880 00	
Secretary.....	3,000 00	3,000 00	
Secretary to highway engineer.....	2,480 00	2,480 00	
Stenographer.....	1,080 00	1,080 00	
Telephone operator.....	1,080 00	1,080 00	
Auto mechanic.....	1,440 00	1,440 00	
12 Clerks.....	12,960 00	12,960 00	
Total.....	\$197,530 00	\$197,530 00	
A 2. Wages.....	2,000 00	2,000 00	
Total personal service.....	\$199,530 00	\$199,530 00	\$399,060 00
Maintenance—			
C. Supplies—			
C 4. Office.....	\$3,000 00	\$3,000 00	
C 4-a. Postage.....	4,000 00	4,000 00	
C 10. Motor vehicle.....	6,000 00	6,000 00	
C 11. General plant.....	6,000 00	6,000 00	
Total.....	\$19,000 00	\$19,000 00	
D. Materials—			
D 3. General plant.....	\$1,500 00	\$1,500 00	
E. Equipment—Replacement—			
E 1. Office.....	\$4,000 00	\$2,000 00	
E 6. Motor vehicle.....	25,000 00	5,000 00	
E 9. General plant.....	3,000 00	1,000 00	
Total.....	\$32,000 00	\$8,000 00	
F. Contract and Open Order Service—			
F 1. Repairs—			
To police, patrol and maintain highways as provided in Sec. 6309, 6309-1-2 G. C.	\$3,290,000 00	\$3,290,000 00	
F 2. Motor vehicle repairs.....	5,000 00	5,000 00	
F 5. Express, freight and drayage.....	1,500 00	1,500 00	
F 6. Traveling expense.....	21,000 00	21,000 00	
F 7. Communication.....	5,000 00	5,000 00	
F 9. General plant.....	6,000 00	6,000 00	
Printing Ohio road laws.....	3,000 00		
Total.....	\$3,331,500 00	\$3,328,500 00	
H. Fixed Charges and Contributions—			
H 6. Rent.....	\$10,000 00	\$10,000 00	
H 7. Insurance.....	500 00	500 00	
H 8. Contributions.....	200 00	200 00	
Total.....	\$10,700 00	\$10,700 00	

General Appropriations.

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## DIVISION OF HIGHWAYS—Concluded.

	First Year.	Second Year.	Biennium.
I. Rotary—			
To pay when necessary the federal government's share of any estimate due contractors on road improvements.	\$200,000 00	-----	
To pay the cost of completing all improvements upon which contractors shall have defaulted subsequent to July 1, 1921, or from which said contractors shall have been removed subsequent to July 1, 1921.	50,000 00	-----	
Total -----	\$250,000 00	-----	
Total maintenance ----	\$3,644,700 00	\$3,367,700 00	7,012,400 00
Total maintenance and operation -----	\$3,844,230 00	\$3,567,230 00	\$7,411,460 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital equipment ---	-----	-----	\$12,000 00
G 32. Other Capital Outlay—			
To construct, improve, maintain and repair main market roads.	-----	-----	2,280,000 00
To construct, improve, maintain and repair Inter-county highways.	-----	-----	6,840,000 00
Total additions and betterments -----	-----	-----	\$9,132,000 00
Total Division of Highways -----	-----	-----	\$16,543,460 00

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## DIVISION OF STATE HOUSE AND GROUND.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Superintendent of laborers---	\$1,100 00	\$1,100 00	
Laborers -----	4,080 00	4,080 00	
Landscape gardener-----	1,020 00	1,020 00	
6 Janitors -----	6,120 00	6,120 00	
2 Night policemen-----	1,680 00	1,680 00	
2 Day policemen-----	1,680 00	1,680 00	
2 Visitors' attendants -----	1,680 00	1,680 00	
Carpenter -----	1,400 00	1,400 00	
Chief engineer-----	1,600 00	1,600 00	
Electrician -----	1,200 00	1,200 00	
2 Engineer helpers-----	2,400 00	2,400 00	
Fireman -----	1,080 00	1,080 00	
Extra fireman (six months)---	720 00	720 00	
2 Elevator attendants-----	2,040 00	2,040 00	
Caretaker rest room-----	600 00	600 00	
Total personal service.--	\$28,400 00	\$28,400 00	\$56,800 00
Maintenance—			
C. Supplies—			
C 2. Forage -----	\$100 00	\$100 00	
C 3. Fuel -----	6,000 00	6,000 00	

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

General Appropriations.

## DIVISION OF STATE HOUSE AND GROUNDS—Concluded.

	First Year.	Second Year.	Biennium.
C 6. Cleaning -----	350 00	350 00	
C 9. Agriculture -----	200 00	200 00	
C 11. General plant -----	1,000 00	1,000 00	
Total -----	\$7,650 00	\$7,650 00	
D. Materials—			
D 3. General plant -----	\$300 00	\$300 00	
E. Equipment—Replacement—			
E 9. General plant -----	\$1,500 00	\$1,500 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$15,000 00	\$15,000 00	
F 3. Water -----	450 00	450 00	
F 4. Light, heat and power--	11,000 00	11,000 00	
F 5. Express, freight and drayage -----	100 00	100 00	
F 7. Communication -----	75 00	75 00	
Total -----	\$26,625 00	\$26,625 00	
Total maintenance-----	\$36,075 00	\$36,075 00	72,150 00
Total Division of State House and Grounds--	\$64,475 00	\$64,475 00	\$128,950 00

## DEPARTMENT OF HIGHWAYS AND PUBLIC WORKS.

## DIVISION—WYANDOTTE BUILDING.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Engineer -----	\$1,450 00	\$1,450 00	
Assistant engineer-----	1,200 00	1,200 00	
Watchman and fireman-----	1,200 00	1,200 00	
Head janitor-----	1,100 00	1,100 00	
2 Elevator attendants-----	2,040 00	2,040 00	
6 Janitors-----	6,120 00	6,120 00	
Total personal service--	\$13,110 00	\$13,110 00	\$26,220 00
Maintenance—			
C. Supplies—			
C 3. Fuel -----	\$3,000 00	\$3,000 00	
C 6. Cleaning -----	600 00	600 00	
C 11. General plant-----	400 00	400 00	
Total -----	\$4,000 00	\$4,000 00	
E. Equipment—Replacement—			
E 9. General plant -----	\$400 00	\$400 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$1,000 00	\$1,000 00	
F 3. Water -----	800 00	800 00	
F 4. Light, heat and power--	5,000 00	5,000 00	
F 5. Express, freight and drayage -----	125 00	125 00	
Total -----	\$6,925 00	\$6,925 00	
Total maintenance-----	\$11,325 00	\$11,325 00	22,650 00
Total division—Wyandotte Building-----	\$24,435 00	\$24,435 00	\$48,870 00
Total Department of Highways and Public Works----			\$16,953,640 00

General Approp-  
riations.

## DEPARTMENT OF AGRICULTURE.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
Chief of Division of Animal Industry .....	3,600 00	3,600 00	
Chief of Division of State Fair .....	3,600 00	3,600 00	
Chief of Division of Plant Industry .....	3,000 00	3,000 00	
Superintendent of Fair Grounds .....	1,600 00	1,600 00	
Publicity specialist .....	2,400 00	2,400 00	
8 Deputy inspectors Nurseries and Orchards .....	11,200 00	11,200 00	
Chief Bureau of Markets .....	2,500 00	2,500 00	
Deputy Inspector Bureau of Markets .....	1,500 00	1,500 00	
Chief Bureau of Feeds and Fertilizers .....	1,900 00	1,900 00	
4 Deputy Inspectors Feeds and Fertilizers .....	4,800 00	4,800 00	
Assistant State Veterinarian .....	2,400 00	2,400 00	
Bacteriologist .....	1,800 00	1,800 00	
14 Field veterinarians .....	25,200 00	25,200 00	
Reduction plant inspector .....	1,350 00	1,350 00	
Local veterinarian in charge .....	2,000 00	2,000 00	
Grade III bookkeeper .....	1,380 00	1,380 00	
Confidential secretary .....	1,380 00	1,380 00	
2 Grade II clerks .....	2,760 00	2,760 00	
2 Grade III clerks .....	2,480 00	2,480 00	
2 Grade IV clerks .....	1,200 00	1,200 00	
4 Grade II stenographers .....	4,320 00	4,320 00	
3 Grade III stenographers .....	2,700 00	2,700 00	
Grade II typist .....	900 00	900 00	
Telephone operator .....	780 00	780 00	
Chief Bureau of Agricultural Statistics .....	600 00	600 00	
Seed analyst .....	1,800 00	1,800 00	
3 Assistant seed analysts .....	2,700 00	2,700 00	
Stenographer .....	840 00	840 00	
Night watchman—Fair grounds .....	1,000 00	1,000 00	
Messenger and janitor .....	1,020 00	1,020 00	
Total .....	\$101,210 00	\$101,210 00	
A 2. Wages .....	14,000 00	14,000 00	
A 3. Unclassified .....	200 00	200 00	
Total personal service..	\$115,410 00	\$115,410 00	\$230,820 00
Maintenance—			
C. Supplies—			
C 2. Forage .....	\$850 00	\$850 00	
C 3. Fuel .....	100 00	100 00	
C 4. Office .....	2,500 00	2,500 00	
C 4-a. Postage .....	1,500 00	1,500 00	
C 5. Medical .....	700 00	700 00	
C 6. Cleaning .....	25 00	25 00	
C 9. Agricultural .....	500 00	500 00	
C 10. Motor vehicle .....	1,000 00	1,000 00	
C 11. General plant .....	1,000 00	1,000 00	
Total .....	\$8,175 00	\$8,175 00	

## DEPARTMENT OF AGRICULTURE—Continued.

General Approp-  
riations.

	First Year.	Second Year.	Biennium.
D Materials—			
D 2. Building .....	\$1,000 00	\$1,000 00	
D 3. General plant .....	1,000 00	1,000 00	
Total .....	\$2,000 00	\$2,000 00	
E. Equipment—Replacement—			
E 1. Office .....	\$250 00	\$250 00	
E 3. Medical and surgical .....	100 00	100 00	
E 6. Motor vehicle .....	600 00	600 00	
E 7. Wearing apparel .....	40 00	40 00	
E 9. General plant .....	750 00	750 00	
Total .....	\$1,740 00	\$1,740 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$100 00	\$100 00	
Repairs buildings State Fair Grounds .....	12,000 00	12,000 00	
F 2. Motor vehicle .....	400 00	400 00	
F 3. Water .....	700 00	700 00	
F 4. Light, heat and power ..	350 00	350 00	
F 5. Express, freight and drayage .....	300 00	300 00	
F 6. Traveling expense .....	35,000 00	35,000 00	
F 7. Communication .....	2,000 00	2,000 00	
F 9. General Plant—			
Uses and purposes of state fair .....	175,000 00	175,000 00	
Experimental work diseases of animals .....	2,500 00	2,500 00	
Other .....	1,000 00	1,000 00	
Apple and fruit shows .....		3,000 00	
Total .....	\$229,350 00	\$232,350 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$20 00	\$20 00	
H 7. Insurance .....	25 00	25 00	
H 8. Contributions—			
Tubercular cattle .....	50,000 00	50,000 00	
Glandered horses .....	1,000 00	1,000 00	
Total .....	\$51,045 00	\$51,045 00	
Total maintenance .....	\$292,310 00	\$295,310 00	\$587,620 00
Total maintenance and operation .....	\$407,720 00	\$410,720 00	\$818,440 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Drinking fountain State Fair Ground .....			\$500 00
G 32. Other Capital Outlay—			
Stuccoing two toilets State Fair Ground .....			1,000 00
Installation call system State Fair Ground .....			500 00
Electric equipment State Fair Ground .....			2,500 00

General Approp-  
riations.

## DEPARTMENT OF AGRICULTURE—Concluded.

	First Year.	Second Year.	Biennium.
Iron fence State Fair			
Ground -----	-----	-----	1,500 00
Total additions and bet- terments -----	-----	-----	\$6,000 00
Total -----	-----	-----	\$824,440 00

## DEPARTMENT OF AGRICULTURE.

## DIVISION—DAIRY AND FOOD.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Chief of division-----	\$3,000 00	\$3,000 00	
Chief inspector of weights and measures -----	1,700 00	1,700 00	
Inspectors of weights and measures -----	1,350 00	1,350 00	
5 Dairy inspectors-----	6,750 00	6,750 00	
3 Drug inspectors-----	4,050 00	4,050 00	
9 Food inspectors-----	13,500 00	13,500 00	
Cannery inspector-----	1,350 00	1,350 00	
Chief narcotic inspector-----	1,650 00	1,650 00	
Narcotic inspector-----	1,350 00	1,350 00	
Soft drink inspector-----	1,800 00	1,800 00	
Grade II clerk-----	1,200 00	1,200 00	
Grade III clerk-----	900 00	900 00	
Grade III stenographer-----	1,000 00	1,000 00	
Messenger -----	840 00	840 00	
Total -----	\$40,440 00	\$40,440 00	
A 3. Unclassified -----	1,200 00	1,200 00	
Total personal service...	\$41,640 00	\$41,640 00	\$83,280 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$100 00	\$100 00	
C 4-a. Postage -----	200 00	200 00	
C 11. General plant-----	35 00	35 00	
Total -----	\$335 00	\$335 00	
E. Equipment—Replacement—			
E 1. Office -----	\$100 00	\$100 00	
E 9. General plant-----	50 00	50 00	
Total -----	\$150 00	\$150 00	
F. Contract and Open Order Service—			
F 5. Express, freight and drayage -----	\$10 00	\$10 00	
F 6. Traveling expense -----	24,000 00	24,000 00	
F 7. Communication -----	30 00	30 00	
F 9. General plant-----	150 00	150 00	
Total -----	\$24,190 00	\$24,190 00	
Total maintenance-----	\$24,675 00	\$24,675 00	49,350 00
Total Division Dairy and Food -----	\$66,315 00	\$66,315 00	\$132,630 00



## DEPARTMENT OF AGRICULTURE.

## DIVISION—FISH AND GAME.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Chief of division.....	\$3,600 00	\$3,600 00	
Assistant chief.....	2,000 00	2,000 00	
Grade I clerk.....	1,560 00	1,560 00	
Grade II clerk.....	1,260 00	1,260 00	
2 Grade III clerks.....	2,820 00	2,820 00	
Grade II stenographer.....	1,200 00	1,200 00	
2 Grade III stenographers.....	1,800 00	1,800 00	
65 Protectors .....	78,000 00	78,000 00	
Supervisor Lake Erie dis- trict .....	1,600 00	1,600 00	
Supervisor stream pollution..	2,100 00	2,100 00	
Supervisor inland hatcheries..	1,800 00	1,800 00	
Superintendent Lake Erie hatchery .....	1,200 00	1,200 00	
Asst. superintendent Lake Erie hatchery.....	1,080 00	1,080 00	
Fireman Lake Erie Hatchery	840 00	840 00	
Captain patrol boat.....	1,200 00	1,200 00	
Engineer patrol boat.....	1,080 00	1,080 00	
Fireman patrol boat.....	900 00	900 00	
Deck hand patrol boat.....	900 00	900 00	
4 Superintendents of hatch- eries .....	4,020 00	4,020 00	
Superintendent London hatch- ery .....	1,080 00	1,080 00	
Superintendent game farm— Wellington .....	1,800 00	1,800 00	
Game keeper—London .....	1,200 00	1,200 00	
Farmer .....	720 00	720 00	
Total .....	\$113,760 00	\$113,760 00	
A 2. Wages—			
4 Laborers.....	\$3,000 00	\$3,000 00	
Extra game wardens.....	8,000 00	8,000 00	
Laborers Lake Erie.....	2,000 00	2,000 00	
Laborers inland hatcheries...	1,000 00	1,000 00	
Total .....	\$14,000 00	\$14,000 00	
A 3. Unclassified—			
Securing fish for inland dis- tribution .....	6,000 00	6,000 00	
Total personal service...	\$133,760 00	\$133,760 00	\$267,520 00
Maintenance			
C. Supplies—			
C 2. Forage .....	\$1,500 00	\$1,500 00	
C 3. Fuel .....	1,500 00	1,500 00	
C 4. Office .....	1,000 00	1,000 00	
C 9. Agricultural .....	500 00	500 00	
C 11. General plant.....	2,500 00	2,500 00	
Total .....	\$7,000 00	\$7,000 00	
D. Materials—			
D 2. Building .....	\$1,000 00	\$1,000 00	
D 3. General plant.....	500 00	500 00	
Total .....	\$1,500 00	\$1,500 00	

General Approp-  
riations.

## DEPARTMENT OF AGRICULTURE.

## DIVISION—FISH AND GAME—Concluded.

	First Year.	Second Year.	Biennium.
E. Equipment—Replacement—			
E 4. Livestock—			
Purchase of fish spawn.....	\$3,000 00	\$3,000 00	
Purchase of pheasant eggs, game birds and hens.....	11,900 00	11,900 00	
E 5. Agricultural .....	280 00	280 00	
E 6. Motor vehicle.....	1,000 00	1,000 00	
E 9. General plant.....	150 00	150 00	
Total .....	\$16,330 00	\$16,330 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$500 00	\$500 00	
F 3. Water .....	500 00	500 00	
F 5. Express, freight and drayage .....	4,000 00	4,000 00	
F 6. Traveling expense.....	35,000 00	35,000 00	
F 7. Communication .....	1,000 00	1,000 00	
F 9. General Plant—			
Printing game laws.....	5,000 00	5,000 00	
Fish propagation and dis- tribution .....	16,740 00	16,740 00	
Total .....	\$62,740 00	\$62,740 00	
Total maintenance.....	\$87,570 00	\$87,570 00	175,140 00
Total Division of Fish and Game.....	\$221,330 00	\$221,330 00	\$442,660 00

## DEPARTMENT OF AGRICULTURE.

## DIVISION—SERUM.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Pathologist .....	\$2,400 00	\$2,400 00	
Assistant pathologist .....	1,800 00	1,800 00	
Grade II typist .....	900 00	900 00	
5 Laborers .....	4,500 00	4,500 00	
Total .....	\$9,600 00	\$9,600 00	
A 2. Wages .....	8,000 00	8,000 00	
Total personal service...	\$17,600 00	\$17,600 00	\$35,200 00
Maintenance—			
C. Supplies—			
C 2. Forage .....	\$4,000 00	\$4,000 00	
C 3. Fuel .....	1,000 00	1,000 00	
C 4. Office .....	50 00	50 00	
C 4-a. Postage .....	50 00	50 00	
C 6. Cleaning .....	50 00	50 00	
C 10. Motor vehicle .....	150 00	150 00	
C 11. General plant.....	500 00	500 00	
Pigs for serum test.....	70,000 00	70,000 00	
Total .....	\$75,800 00	\$75,800 00	
E. Equipment—Replacement—			
E 6. Motor vehicle.....	\$100 00	\$100 00	
E 9. General plant.....	250 00	250 00	
Total .....	\$350 00	\$350 00	

## DEPARTMENT OF AGRICULTURE—Concluded.

General Appo-  
riations.

## DIVISION—SERUM—Concluded.

F. Contract and Open Order Service—	First Year.	Second Year.	Biennium.
F 1. Repairs .....	\$100 00	\$100 00	
F 2. Motor vehicle repairs...	100 00	100 00	
F 4. Light, heat and power...	720 00	720 00	
F 5. Express, freight and drayage .....	200 00	200 00	
F 7. Communication .....	250 00	250 00	
F 9. General plant.....	100 00	100 00	
Total .....	\$1,470 00	\$1,470 00	
Total maintenance.....	\$77,620 00	\$77,620 00	155,240 00
Total Serum Division...	\$95,220 00	\$95,220 00	\$190,440 00
Total Department of Agriculture .....			\$1,590,170 00

## DEPARTMENT OF HEALTH.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
Chief division of administration .....	4,000 00	4,000 00	
Publicity director.....	1,700 00	1,700 00	
Grade I clerk.....	1,560 00	1,560 00	
Grade II clerk.....	1,200 00	1,200 00	
4 Grade III clerks.....	3,600 00	3,600 00	
Grade IV clerk.....	840 00	840 00	
5 Grade II stenographers.....	5,460 00	5,460 00	
8 Grade III stenographers.....	6,900 00	6,900 00	
Grade I telephone operator...	720 00	720 00	
Grade I engineer.....	5,000 00	5,000 00	
Grade II engineer.....	3,600 00	3,600 00	
2 Grade III engineers.....	5,600 00	5,600 00	
Grade IV engineer.....	2,000 00	2,000 00	
Plumbing inspector.....	2,200 00	2,200 00	
2 Deputy plumbing inspectors	3,200 00	3,200 00	
Director of laboratories.....	4,000 00	4,000 00	
Bacteriologist .....	2,100 00	2,100 00	
Chemist .....	2,200 00	2,200 00	
6 Laboratory assistants.....	9,060 00	9,060 00	
4 Laboratory helpers.....	3,000 00	3,000 00	
Janitor .....	840 00	840 00	
Director division of communicable diseases.....	4,000 00	4,000 00	
Statistician .....	1,200 00	1,200 00	
Director division of hygiene...	4,000 00	4,000 00	
Chief bureau of hospitals.....	3,000 00	3,000 00	
Chief bureau of nursing service .....	2,160 00	2,160 00	
3 Public health nurses.....	4,500 00	4,500 00	
Director division of industrial hygiene .....	3,000 00	3,000 00	
Assistant director division of industrial hygiene.....	1,600 00	1,600 00	
Chief bureau of child hygiene	2,400 00	2,400 00	
3 Inspectors bureau of child hygiene .....	4,500 00	4,500 00	
4 District health supervisors..	12,000 00	12,000 00	
Total .....	\$117,640 00	\$117,640 00	

General Approp-  
riations.

## DEPARTMENT OF HEALTH—Continued.

	First Year.	Second Year.	Biennium.
A 2. Wages—			
Per diem members public health council.....	\$500 00	\$500 00	
Emergency nurses.....	2,000 00	2,000 00	
Emergency physicians.....	100 00	100 00	
Total .....	\$2,600 00	\$2,600 00	
A 3. Unclassified—			
Referee fees.....	\$300 00	\$300 00	
Reporting fees.....	500 00	500 00	
Total .....	\$800 00	\$800 00	
Total personal service...	\$121,040 00	\$121,040 00	\$242,080 00
Maintenance—			
C. Supplies—			
C 2. Forage .....	\$350 00	\$350 00	
C 4. Office .....	1,000 00	1,000 00	
C 4-a. Postage .....	3,000 00	3,000 00	
C 5. Medical and surgical...	4,000 00	4,000 00	
C 11. General plant.....	1,000 00	1,000 00	
Total .....	\$9,350 00	\$9,350 00	
E. Equipment—Replacement—			
E 1. Office .....	\$300 00	\$300 00	
E 3. Medical and surgical...	3,300 00	3,300 00	
E 4. Livestock .....	450 00	450 00	
E 7. Wearing apparel.....	25 00	25 00	
E 8. Educational .....	1,200 00	1,200 00	
E 9. General plant.....	900 00	900 00	
Total .....	\$6,175 00	\$6,175 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$600 00	\$600 00	
F 4. Light, heat and power...	500 00	500 00	
F 5. Express, freight and drayage .....	1,100 00	1,100 00	
F 6. Traveling expense .....	23,000 00	23,000 00	
F 7. Communication .....	1,400 00	1,400 00	
F 9. General plant.....	2,000 00	2,000 00	
All monies appropriated by the U. S. government under the Chamberlain-Kahn act and .....	25,000 00	25,000 00	
Operation of trachoma clinics and hospitals in co-operation with U. S. public health service, counties and municipalities.....	7,500 00	7,500 00	
Operation of tuberculosis clinics in co-operation with city and general health districts .....	10,000 00	10,000 00	
Total .....	\$71,100 00	\$71,100 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$4,200 00	\$4,200 00	

## DEPARTMENT OF HEALTH—Concluded.

General Appropriations.

	First Year.	Second Year.	Biennium.
H 8. Contributions—			
State's contribution to salaries of district health commissioners, public health nurses and clerks, section 1261-39, G. C.-----	150,000 00	150,000 00	
Total -----	\$154,200 00	\$154,200 00	
Total maintenance-----	\$240,825 00	\$240,825 00	481,650 00
Total maintenance and operation -----	\$361,865 00	\$361,865 00	\$723,730 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment-----	-----	-----	\$600 00
Total additions and betterments -----	-----	-----	\$600 00
Total -----	-----	-----	\$724,330 00

## DEPARTMENT OF HEALTH.

## DIVISION OF VITAL STATISTICS.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Registrar -----	\$4,000 00	\$4,000 00	
Chief inspector-----	1,500 00	1,500 00	
Statistician -----	1,500 00	1,500 00	
Grade I clerk-----	1,560 00	1,560 00	
11 Grade III clerks-----	10,200 00	10,200 00	
Grade II stenographer -----	1,080 00	1,080 00	
4 Grade III stenographers-----	3,600 00	3,600 00	
2 Grade I typists-----	2,040 00	2,040 00	
2 Grade II typists-----	1,800 00	1,800 00	
2 Grade III typists-----	1,680 00	1,680 00	
All fees received by this division or by the registrar, or by any other employe to be deposited in the state treasury to the credit of the general revenue fund.			
Total personal service--	\$28,960 00	\$28,960 00	\$57,920 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$500 00	\$500 00	
C 4-a. Postage -----	2,500 00	2,500 00	
Total -----	\$3,000 00	\$3,000 00	
E. Equipment—Replacement—			
E 1. Office -----	\$300 00	\$300 00	
F. Contract and Open Order Service—			
F 5. Express, freight and drayage -----	\$50 00	\$50 00	
F 6. Traveling expense-----	1,100 00	1,100 00	
F 7. Communication -----	225 00	225 00	
F 9. General plant-----	25 00	25 00	
Total -----	\$1,400 00	\$1,400 00	

General Approp-  
riations.

## DEPARTMENT OF HEALTH—Concluded.

## DIVISION OF VITAL STATISTICS—Concluded.

H. Fixed Charges and Contributions—	First Year.	Second Year.	Biennium.
H 6. Rent .....	\$660 00	\$660 00	
Total maintenance.....	\$5,360 00	\$5,360 00	10,720 00
Total maintenance and operation .....	\$34,320 00	\$34,320 00	\$68,640 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....	-----	-----	\$250 00
Total additions and betterments .....	-----	-----	\$250 00
Total Division of Vital Statistics .....	-----	-----	\$68,890 00
Total Department of Health .....	-----	-----	\$793,220 00

## DEPARTMENT OF INDUSTRIAL RELATIONS.

## ADMINISTRATION.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
3 Members of commission.....	15,000 00	15,000 00	
Chief clerk.....	3,000 00	3,000 00	
Grade I bookkeeper.....	2,200 00	2,200 00	
2 Grade III bookkeepers.....	2,760 00	2,760 00	
2 Grade I clerks.....	3,240 00	3,240 00	
Grade II clerk.....	1,140 00	1,140 00	
2 Grade III clerks.....	1,740 00	1,740 00	
Grade IV clerk.....	720 00	720 00	
Librarian .....	900 00	900 00	
Telephone operator.....	720 00	720 00	
3 Grade I stenographers and 3 Grade II stenographers.....	7,020 00	7,020 00	
5 Grade III stenographers.....	4,500 00	4,500 00	
6 Grade II examiners compensation claims.....	10,800 00	10,800 00	

## DIVISION OF WORKMEN'S COMPENSATION.

Auditor .....	\$2,400 00	\$2,400 00
27 Payroll inspectors.....	36,450 00	36,450 00
Actuary .....	4,000 00	4,000 00
Assistant actuary.....	2,400 00	2,400 00
Codifier .....	1,140 00	1,140 00
Rating actuary .....	2,200 00	2,200 00
3 Grade IV statisticians.....	3,000 00	3,000 00
Director of claims.....	2,400 00	2,400 00
Deputy director of claims.....	2,000 00	2,000 00
3 Reviewers of claims.....	5,600 00	5,600 00
11 Claims examiners.....	16,800 00	16,800 00
3 Claims referees.....	6,600 00	6,600 00
7 Claims investigators .....	9,750 00	9,750 00
Chief medical examiner.....	3,500 00	3,500 00
4 Assistant medical examiners.....	10,000 00	10,000 00
3 Special medical examiners.....	7,500 00	7,500 00
Grade III bookkeeper.....	1,140 00	1,140 00
Grade IV bookkeeper.....	840 00	840 00

## DEPARTMENT OF INDUSTRIAL RELATIONS—Continued.

General Approp-  
riations.

## DIVISION OF WORKMEN'S COMPENSATION—Concluded.

	First Year.	Second Year.	Biennium.
3 Grade I clerks.....	4,680 00	4,680 00	
2 Grade I clerks.....	2,760 00	2,760 00	
29 Grade II clerks.....	33,600 00	33,600 00	
38 Grade III clerks.....	34,260 00	34,260 00	
3 Grade IV clerks.....	1,920 00	1,920 00	
4 Grade I stenographers.....	4,800 00	4,800 00	
12 Grade II stenographers.....	12,660 00	12,660 00	
16 Grade III stenographers.....	14,400 00	14,400 00	
8 Grade I typists.....	7,500 00	7,500 00	
23 Grade II typists.....	20,700 00	20,700 00	
Branch office deputy.....	1,800 00	1,800 00	
Claims investigator.....	1,200 00	1,200 00	
Night watchman.....	1,200 00	1,200 00	

## DIVISION OF INVESTIGATION AND STATISTICS.

Chief division of labor statistics.....	\$3,000 00	\$3,000 00
Assistant to chief of division.....	1,800 00	1,800 00
Statistical clerk.....	1,750 00	1,750 00
2 Grade IV statisticians.....	2,160 00	2,160 00
4 Special investigators.....	5,400 00	5,400 00
2 Grade III clerks.....	1,740 00	1,740 00
Grade II stenographer.....	1,080 00	1,080 00
2 Grade III stenographers.....	1,800 00	1,800 00

## DIVISION OF EMPLOYMENT OFFICES.

5 Superintendents.....	\$9,000 00	\$9,000 00
2 Superintendents.....	3,300 00	3,300 00
Assistant superintendent.....	1,500 00	1,500 00
4 Assistant superintendents.....	4,800 00	4,800 00
2 Directors of women's work.....	3,000 00	3,000 00
5 Directors of women's work.....	6,000 00	6,000 00
4 Placement clerks.....	4,560 00	4,560 00
Placement clerk.....	1,060 00	1,060 00
6 Clerks.....	5,400 00	5,400 00
2 Clerks.....	1,680 00	1,680 00
State city free employment service, Cleveland.....	15,000 00	15,000 00

## DIVISION OF WORKSHOPS AND FACTORIES.

Chief of division.....	\$3,600 00	\$3,600 00
Assistant chief of division.....	2,500 00	2,500 00
Second assistant to chief of division.....	2,000 00	2,000 00
Safety engineer.....	2,750 00	2,750 00
30 Supervisors of factory and building inspection.....	47,150 00	47,150 00
9 Women inspectors.....	10,800 00	10,800 00
Grade I clerk.....	1,800 00	1,800 00
Grade II stenographer.....	1,080 00	1,080 00
3 Grade III stenographers.....	2,700 00	2,700 00
2 Grade II typists.....	1,800 00	1,800 00

## DIVISION OF MINES AND MINING.

Chief of division.....	\$3,600 00	\$3,600 00
17 District deputies.....	35,700 00	35,700 00
Caretaker mine rescue car.....	1,200 00	1,200 00
Grade I clerk.....	1,560 00	1,560 00
2 Grade I typists.....	1,980 00	1,980 00
Grade II typist.....	900 00	900 00
Grade III stenographer.....	900 00	900 00
Oil and gas well inspector.....	1,500 00	1,500 00

General Approp-  
riations.

## DEPARTMENT OF INDUSTRIAL RELATIONS—Continued.

## DIVISION EXAMINER OF STEAM ENGINEERS.

	First Year.	Second Year.	Biennium.
Chief deputy.....	\$3,000 00	\$3,000 00	
10 District deputies.....	18,000 00	18,000 00	
Grade I clerk.....	1,700 00	1,700 00	
2 Grade II clerks.....	2,400 00	2,400 00	

## DIVISION OF BOILER INSPECTION.

Chief deputy.....	\$3,000 00	\$3,000 00	
Assistant to chief deputy.....	2,300 00	2,300 00	
8 District deputies.....	16,000 00	16,000 00	
Grade I clerk.....	1,800 00	1,800 00	
Grade IV bookkeeper.....	1,200 00	1,200 00	
Grade II clerk.....	900 00	900 00	
Grade III clerk.....	900 00	900 00	
Grade III stenographer.....	1,200 00	1,200 00	
Grade II typist.....	900 00	900 00	
Total .....	\$570,290 00	\$570,290 00	
A 2. Wages .....	\$1,060 00	\$1,060 00	
A 3. Unclassified—			
Local and special medical ex-			
aminations .....	5,000 00	5,500 00	
Witness fees .....	1,500 00	1,500 00	
Miscellaneous .....	1,000 00	1,000 00	
Total .....	\$7,500 00	\$8,000 00	
Total personal service..	\$578,850 00	\$579,350 00	\$1,158,200 00
Maintenance—			
C. Supplies—			
C 1. Food .....	\$100 00	\$100 00	
C 4. Office .....	9,000 00	9,000 00	
C 4-a. Postage .....	28,000 00	28,000 00	
C 5. Medical and surgical...	25 00	25 00	
C 10. Motor vehicle supplies			
—Rescue station.....	2,500 00	2,500 00	
C 11. General plant.....	1,000 00	1,000 00	
Total .....	\$40,625 00	\$40,625 00	
E. Equipment—Replacement—			
E 1. Office .....	\$3,800 00	\$3,000 00	
E 3. Medical and surgical...	100 00	-----	
E 9. General plant.....	800 00	500 00	
Total .....	\$4,700 00	\$3,500 00	
F. Contract and Open Order			
Service—			
F 1. Repairs .....	\$1,500 00	\$2,000 00	
F 4. Light, heat and power...	950 00	950 00	
F 5. Express, freight and			
drayage .....	600 00	600 00	
F 6. Traveling expense.....	100,000 00	100,000 00	
F 7. Communication .....	6,500 00	6,500 00	
F 9. General plant.....	4,200 00	4,200 00	
Total .....	\$113,750 00	\$114,250 00	



## DEPARTMENT OF INDUSTRIAL RELATIONS—Concluded.

General Appropriations.

## DIVISION OF BOILER INSPECTION—Concluded.

H. Fixed Charges and Contributions—	First Year.	Second Year.	Biennium.
H 6. Rent .....	\$43,000 00	\$43,000 00	
H 7. Insurance .....	300 00	300 00	
Total .....	\$43,300 00	\$43,300 00	
Total maintenance.....	\$202,375 00	\$201,675 00	404,050 00
Total maintenance and operation .....	\$781,225 00	\$781,025 00	\$1,562,250 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....	-----	-----	\$2,500 00
Equipment rescue stations .....	-----	-----	30,000 00
Total additions and betterments .....	-----	-----	\$32,500 00
Total department of Industrial relations.....	-----	-----	\$1,594,750 00

## DEPARTMENT OF PUBLIC WELFARE.

## ADMINISTRATION—STATE INSTITUTIONS.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
Superintendent of pardon and parole .....	4,000 00	4,000 00	
Fiscal supervisor .....	4,000 00	4,000 00	
Chief agriculturist.....	3,000 00	3,000 00	
Horticulturist .....	2,750 00	2,750 00	
Grade IV engineer.....	1,800 00	1,800 00	
Grade II engineer.....	3,000 00	3,000 00	
Mechanical engineer.....	2,500 00	2,500 00	
3 Grade III bookkeepers.....	4,140 00	4,140 00	
Grade IV bookkeeper.....	840 00	840 00	
Grade II clerk.....	1,200 00	1,200 00	
Grade IV clerk.....	900 00	900 00	
2 Grade II stenographers.....	2,160 00	2,160 00	
4 Grade III stenographers.....	3,780 00	3,780 00	
Grade I telephone operator.....	780 00	780 00	
Superintendent Athens state hospital .....	3,600 00	3,600 00	
Superintendent Cleveland state hospital .....	3,600 00	3,600 00	
Superintendent Columbus state hospital .....	3,600 00	3,600 00	
Superintendent Dayton state hospital .....	3,600 00	3,600 00	
Superintendent Lima state hospital .....	4,000 00	4,000 00	
Superintendent Longview hospital .....	3,600 00	3,600 00	
Superintendent Massillon state hospital .....	3,600 00	3,600 00	
Superintendent Toledo state hospital .....	3,600 00	3,600 00	
Superintendent Ohio hospital for epileptics.....	3,600 00	3,600 00	
Superintendent institution for feeble minded .....	3,600 00	3,600 00	

General Approp-  
riations.

## DEPARTMENT OF PUBLIC WELFARE—Continued.

## ADMINISTRATION—STATE INSTITUTIONS—Continued.

	First Year.	Second Year.	Biennium.
Superintendent state school for deaf -----	3,000 00	3,000 00	
Superintendent state school for the blind -----	2,000 00	2,000 00	
Superintendent Ohio state sanatorium -----	3,600 00	3,600 00	
Superintendent Ohio soldiers' and sailors' home -----	2,600 00	2,600 00	
Superintendent Madison home	1,200 00	1,200 00	
Superintendent boys' industrial school -----	3,600 00	3,600 00	
Superintendent girls' industrial school -----	2,400 00	2,400 00	
Warden Ohio penitentiary ----	3,600 00	3,600 00	
Superintendent new prison farm -----	2,400 00	2,400 00	
Superintendent Ohio state re- formatory -----	3,600 00	3,600 00	
Superintendent Ohio reforma- tory for women -----	2,000 00	2,000 00	
Director bureau of juvenile research -----	4,000 00	4,000 00	
Minor officers and employes --	1,827,008 00	1,827,008 00	
Employes bureau of juvenile research -----	25,000 00	25,000 00	
Total -----	\$1,963,758 00	\$1,963,758 00	
A 2. Wages -----	5,000 00	5,000 00	
A 3. Unclassified—			
Prisoners' compensation ----	100,000 00	100,000 00	
Total personal service --	\$2,068,758 00	\$2,068,758 00	\$4,137,516 00
Maintenance—			
C. Supplies—			
C 1. Food -----	\$1,500,000 00	\$1,500,000 00	
C 2. Forage -----	150,000 00	150,000 00	
C 3. Fuel -----	600,000 00	600,000 00	
C 4. Office -----	15,000 00	15,000 00	
C 4-a. Postage -----	8,000 00	8,000 00	
C 5. Medical and surgical --	35,000 00	35,000 00	
C 6. Cleaning -----	75,000 00	75,000 00	
C 8. Educational -----	4,000 00	4,000 00	
C 9. Agricultural -----	30,000 00	30,000 00	
C 10. Motor vehicle -----	10,000 00	10,000 00	
C 11. General plant -----	95,000 00	95,000 00	
Total -----	\$2,522,000 00	\$2,522,000 00	
D. Materials—			
D 2. Building -----	\$70,000 00	-----	
D 3. General plant -----	350,000 00	\$350,000 00	
Total -----	\$420,000 00	\$350,000 00	
E. Equipment—Replacement—			
E 1. Office -----	\$3,200 00	\$3,200 00	
E 2. Household -----	125,000 00	125,000 00	
E 3. Medical and surgical ---	7,000 00	7,000 00	
E 4. Livestock -----	35,000 00	25,000 00	
E 5. Motorless vehicles -----	7,000 00	7,000 00	
E 6. Motor vehicles -----	10,000 00	10,000 00	
E 7. Wearing apparel -----	250,000 00	250,000 00	
E 8. Educational -----	4,500 00	4,500 00	

## DEPARTMENT OF PUBLIC WELFARE—Continued.

General Appropriations.

## ADMINISTRATION—STATE INSTITUTIONS—Concluded.

	First Year.	Second Year.	Biennium.
E 8-a. Recreational .....	3,000 00	3,000 00	
E 9. General plant.....	100,000 00	100,000 00	
Total .....	\$544,700 00	\$534,700 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$40,000 00	\$40,000 00	
F 2. Motor vehicle repairs .....	4,500 00	4,500 00	
F 3. Water .....	25,000 00	25,000 00	
F 4. Light, heat and power.....	35,000 00	35,000 00	
F 5. Express, freight and drayage .....	1,500 00	1,500 00	
F 6. Traveling expense .....	11,000 00	11,000 00	
F 7. Communication .....	11,800 00	11,800 00	
F 9. General plant .....	39,900 00	39,900 00	
Total .....	\$168,700 00	\$168,700 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$5,346 50	\$5,346 50	
H 7. Insurance .....	962 50	962 50	
H 8. Contributions .....	10,000 00	10,000 00	
Teachers' retirement fund.....	8,000 00	8,000 00	
Total .....	\$24,309 00	\$24,309 00	
I. Rotary—			
Manufacturing and sales.....	-----	-----	-----
Central warehouse.....	-----	-----	-----
Total maintenance.....	\$3,679,709 00	\$3,599,709 00	\$7,279,418 00
Total maintenance and operation .....	\$5,748,467 00	\$5,668,467 00	\$11,416,934 00

## ATHENS STATE HOSPITAL.

G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Laundry machine—Large washer .....	-----	-----	\$4,000 00
Total .....	-----	-----	\$4,000 00

## STATE BRICK PLANT.

G 2. Buildings—			
Drying shed.....	-----	-----	\$2,500 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
6 Kilns and tunnel.....	-----	-----	\$18,000 00
1 Drying pan.....	-----	-----	4,000 00
Clay and shale crusher.....	-----	-----	4,000 00
1 250 H. P. engine.....	-----	-----	10,000 00
2 Boilers.....	-----	-----	20,000 00
Total .....	-----	-----	\$58,500 00

General Approp-  
riations.

## DEPARTMENT OF PUBLIC WELFARE—Continued.

## STATE SCHOOL FOR THE BLIND.

	First Year.	Second Year.	Biennium.
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Elevator .....	-----	-----	\$6,000 00
Braille writing machine.....	-----	-----	300 00
Total .....	-----	-----	<u>\$6,300 00</u>

## BOYS' INDUSTRIAL SCHOOL.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
Laundry equipment.....	-----	-----	\$11,000 00
Equipment for manual training .....	-----	-----	6,000 00
Educational and recreational equipment.....	-----	-----	4,000 00
Total .....	-----	-----	<u>\$21,000 00</u>

## CLEVELAND STATE HOSPITAL.

G 1. Lands .....	-----	-----	\$200,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
X-ray and surgical equipment .....	-----	-----	\$3,000 00
Coal crusher and conveyor .....	-----	-----	2,500 00
Bakery and kitchen equipment .....	-----	-----	5,000 00
Generator unit.....	-----	-----	7,500 00
2 250 horse power boilers .....	-----	-----	20,000 00
G 32. Other Capital Outlay—			
Fencing .....	-----	-----	6,000 00
Total .....	-----	-----	<u>\$244,000 00</u>

## COLUMBUS STATE HOSPITAL.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
Fire hose .....	-----	-----	\$700 00
Coffee mill and motor.....	-----	-----	550 00
Mortising machine.....	-----	-----	1,000 00
8-inch pipe threading machine .....	-----	-----	2,000 00
4 motors and wiring.....	-----	-----	1,200 00
Air compressor.....	-----	-----	3,000 00
Total .....	-----	-----	<u>\$8,450 00</u>

## DAYTON STATE HOSPITAL.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
Hydrotherapy equipment.....	-----	-----	\$2,000 00
Equalizer set .....	-----	-----	2,000 00
G 32. Other Capital Outlay—			
Drainage .....	-----	-----	1,000 00
Water supply.....	-----	-----	5,000 00
Total .....	-----	-----	<u>\$10,000 00</u>

## DEPARTMENT OF PUBLIC WELFARE—Continued.

General Appropriations.

## STATE SCHOOL FOR THE DEAF.

	First Year.	Second Year.	Biennium.
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Linotype machine .....	-----	-----	\$4,500 00
Stage scenery in chapel ..	-----	-----	2,000 00
G 32. Other Capital Outlay—			
Additional plumbing .....	-----	-----	3,500' 00
Total .....	-----	-----	<u>\$10,000 00</u>

## OHIO HOSPITAL FOR EPILEPTICS.

G 2. Buildings—			
Additions to tubercular cottage .....	-----	-----	\$7,500 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
One 15 K. W. 110 volt D. C. excitor unit .....	-----	-----	2,500 00
Coal and ash conveyor ..	-----	-----	10,000 00
G 32. Other Capital Outlay—			
Water supply system .....	-----	-----	10,000 00
Total .....	-----	-----	<u>\$30,000 00</u>

## INSTITUTION FOR FEEBLE-MINDED.

G 1. Lands for new institution .....	-----	-----	\$200,000 00
Curtis Francis farm, Orient, 112 3-10 acres .....	-----	-----	14,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Fire hose and equipment ..	-----	-----	2,500 00
Laundry equipment .....	-----	-----	15,000 00
Custodial Farm—			
Equipment for carpenter shop .....	-----	-----	2,000 00
Boiler feed and water pump .....	-----	-----	500 00
One 8 in. pipe machine .....	-----	-----	2,000 00
Equipment three cottages .....	-----	-----	25,000 00
Pumping equipment fire protection .....	-----	-----	4,000 00
One 125 K. W. unit .....	-----	-----	8,500 00
One 350 H. P. boiler .....	-----	-----	15,000 00
Additional equipment five cottages H. B. 584 .....	-----	-----	15,000 00
Remodeling and repairing heating system at Valley farm .....	-----	-----	3,000 00
G 32. Other Capital Outlay—			
2 Deep wells .....	-----	-----	5,000 00
Custodial Farm—			
Extension heating system—Riverside group .....	-----	-----	3,500 00
Drainage .....	-----	-----	2,000 00
Fencing .....	-----	-----	500 00
Railroad siding .....	-----	-----	30,000 00
Walks and roads .....	-----	-----	5,000 00
Storm water sewer .....	-----	-----	4,500 00
Total .....	-----	-----	<u>\$357,000 00</u>

General Approp-  
riations.

## DEPARTMENT OF PUBLIC WELFARE—Continued.

## BUREAU OF JUVENILE RESEARCH.

G 3. Miscellaneous—	First Year.	Second Year.	Biennium.
G 31. Capital Equipment—			
Library equipment.....	-----	-----	\$1,000 00
Office equipment.....	-----	-----	1,000 00
Medical and surgical equipment.....	-----	-----	5,000 00
Dental equipment.....	-----	-----	1,500 00
Photographic equipment.....	-----	-----	1,000 00
Intercommunicating tele- phones.....	-----	-----	300 00
Total .....	-----	-----	<u>\$9,800 00</u>

## LIMA STATE HOSPITAL.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
Ash carrier.....	-----	-----	\$3,000 00
Hydrotherapy equipment.....	-----	-----	6,000 00
Industrial equipment.....	-----	-----	15,000 00
G 32. Other Capital Outlay—			
Grading walks and drives.....	-----	-----	1,500 00
Fencing.....	-----	-----	3,000 00
Yard lights.....	-----	-----	2,000 00
Drainage.....	-----	-----	1,000 00
Total .....	-----	-----	<u>\$31,500 00</u>

## LONGVIEW HOSPITAL.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
One 100 K. W. generator.....	-----	-----	\$7,500 00
Water softening plant.....	-----	-----	5,000 00
Total .....	-----	-----	<u>\$12,500 00</u>

## MASSILLON STATE HOSPITAL.

G 1. Lands—			
366 acres Steese farm.....	-----	-----	\$97,500 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Equipment one cottage.....	-----	-----	4,800 00
Two stage steam driven air compressor and pumping equipment.....	-----	-----	6,000 00
G 32. Other Capital Outlay—			
Fencing.....	-----	-----	1,000 00
Drainage.....	-----	-----	500 00
Total .....	-----	-----	<u>\$109,800 00</u>

## NEW PRISON FARM.

G 3. Miscellaneous—			
G 32. Other Capital Outlay—			
Drainage.....	-----	-----	\$5,000 00
Total .....	-----	-----	<u>\$5,000 00</u>

## DEPARTMENT OF PUBLIC WELFARE—Continued.

General Approp-  
riations.

## OHIO STATE REFORMATORY.

	First Year.	Second Year.	Biennium.
G 1. Lands—			
Jones farm—42 acres.....	-----	-----	\$6,000 00
Chatlain farm—80 acres .....	-----	-----	8,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Two 350 H. P. boilers.....	-----	-----	40,000 00
G 32. Other Capital Outlay—			
Drainage .....	-----	-----	2,000 00
Fencing .....	-----	-----	2,500 00
Total .....	-----	-----	<u>\$58,500 00</u>

## OHIO STATE SANATORIUM.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
Mechanical coal burning			
appliances .....	-----	-----	\$10,000 00
Machine shop equipment.....	-----	-----	2,500 00
Automatic sprinkler .....	-----	-----	1,000 00
Steam heater .....	-----	-----	4,000 00
Ice machine .....	-----	-----	6,500 00
Hydrants .....	-----	-----	1,000 00
G 32. Other Capital Outlay—			
Cement walks .....	-----	-----	500 00
Brick road from Wooster			
road to entrance to			
Sanatorium .....	-----	-----	20,000 00
Total .....	-----	-----	<u>\$45,500 00</u>

## OHIO SOLDIERS' AND SAILORS' HOME.

G 3. Miscellaneous—			
G 31. Capital Equipment—			
Four 250 H. P. boilers.....	-----	-----	\$40,000 00
Radiators and connections .....	-----	-----	10,000 00
Total .....	-----	-----	<u>\$50,000 00</u>

## TOLEDO STATE HOSPITAL.

G 1. Lands—			
John Williams tract—54.83			
acres .....	-----	-----	\$22,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Kitchen equipment.....	-----	-----	3,000 00
Bakeshop equipment.....	-----	-----	6,000 00
Creamery equipment.....	-----	-----	2,000 00
Water softener.....	-----	-----	3,000 00
Hydrotherapy equipment.....	-----	-----	3,000 00
Two 350 H. P. boilers,			
equipment and smoke			
stack .....	-----	-----	30,000 00
X-ray equipment .....	-----	-----	2,500 00
Motor generator and			
equipment .....	-----	-----	6,000 00
G 32. Other Capital Outlay—			
New wells and equip-			
ment .....	-----	-----	10,000 00
Improving driveways.....	-----	-----	5,000 00
Fencing .....	-----	-----	2,000 00
Total .....	-----	-----	<u>\$94,500 00</u>

General Appropriations.

## DEPARTMENT OF PUBLIC WELFARE—Continued.

## TOLEDO STATE HOSPITAL—Concluded.

	First Year.	Second Year.	Biennium.
Total additions and betterments .....	-----	-----	<u>\$1,166,350 00</u>
Total administration state institutions Department of Public Welfare .....	-----	-----	<u>\$12,583,284 00</u>

## OHIO COMMISSION FOR THE BLIND.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Executive secretary.....	\$2,500 00	\$2,500 00	
Chief clerk.....	1,000 00	1,000 00	
Grade II stenographer.....	1,080 00	1,080 00	
Grade III stenographer.....	840 00	840 00	
Grade III bookkeeper.....	1,140 00	1,140 00	
Publicity agent.....	200 00	200 00	
Supervisor of inspectors.....	1,500 00	1,500 00	
6 Inspectors.....	8,400 00	8,400 00	
Supervisor of home work....	900 00	900 00	
Home teacher.....	1,080 00	1,080 00	
6 Home teachers.....	3,240 00	3,240 00	
Superintendent and instructor	900 00	900 00	
Assistant superintendent....	780 00	780 00	
Supervisor of sales and purchases .....	2,000 00	2,000 00	
Telephone operator and typist	660 00	660 00	
Total .....	<u>\$26,220 00</u>	<u>\$26,220 00</u>	
A 3. Unclassified—			
Janitor service .....	260 00	260 00	
Total personal service ..	<u>\$26,480 00</u>	<u>\$26,480 00</u>	<u>\$52,960 00</u>
Maintenance—			
C. Supplies—			
C 4. Office .....	\$125 00	\$125 00	
C 4-a. Postage .....	175 00	175 00	
C 5. Medical and surgical...	25 00	25 00	
C 6. Cleaning .....	15 00	15 00	
C 8. Educational .....	100 00	100 00	
C 11. General plant .....	50 00	50 00	
Total .....	<u>\$490 00</u>	<u>\$490 00</u>	
E. Equipment—Replacement—			
E 1. Office .....	\$100 00	\$100 00	
E 3. Medical and surgical...	25 00	25 00	
E 9. General plant.....	50 00	50 00	
Total .....	<u>\$175 00</u>	<u>\$175 00</u>	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$100 00	\$100 00	
F 3. Water .....	30 00	30 00	
F 5. Express, freight and drayage .....	25 00	25 00	
F 6. Traveling expense.....	10,000 00	10,000 00	
F 7. Communication .....	200 00	200 00	
F 9. General plant.....	100 00	100 00	
Total .....	<u>\$10,455 00</u>	<u>\$10,455 00</u>	



## DEPARTMENT OF PUBLIC WELFARE—Continued.

General Approp-  
riations.

## OHIO COMMISSION FOR THE BLIND—Concluded.

	First Year.	Second Year.	Biennium.
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$1,800 00	\$1,800 00	
H 8. Contributions .....	2,500 00	2,500 00	
To be transferred to the rotary fund at the discretion of the controlling board .....	25,000 00	25,000 00	
Total .....	\$29,300 00	\$29,300 00	
I. Rotary—			
Total maintenance.....	\$40,420 00	\$40,420 00	\$80,840 00
Total Ohio Commission for the Blind.....	\$66,900 00	\$66,900 00	\$133,800 00

## DIVISION OF STATE CHARITIES.

	First Year.	Second Year.	Biennium.
Personal Service—			
A. 1. Salaries—			
Superintendent .....	\$4,000 00	\$4,000 00	
Social investigator.....	1,800 00	1,800 00	
Agent .....	1,800 00	1,800 00	
3 Assistant agents.....	4,500 00	4,500 00	
Director child welfare.....	2,700 00	2,700 00	
Supervisor child placing....	1,800 00	1,800 00	
Supervisor field service.....	1,500 00	1,500 00	
Supervisor of boarding homes	1,500 00	1,500 00	
Assistant supervisor of boarding homes .....	1,200 00	1,200 00	
2 District superintendents....	3,600 00	3,600 00	
Nurse .....	1,500 00	1,500 00	
2 Orthopedic nurses.....	3,000 00	3,000 00	
17 Field agents.....	24,300 00	24,300 00	
Chief institution inspector ..	2,400 00	2,400 00	
3 Assistant institution inspectors .....	4,500 00	4,500 00	
Grade II clerk.....	1,260 00	1,260 00	
Grade II clerk.....	1,140 00	1,140 00	
3 Grade II stenographers.....	3,360 00	3,360 00	
4 Grade III stenographers.....	3,600 00	3,600 00	
2 Grade III stenographers.....	1,680 00	1,680 00	
Grade I typist.....	960 00	960 00	
Grade IV bookkeeper.....	900 00	900 00	
Telephone operator.....	780 00	780 00	
Matron .....	600 00	600 00	
Housekeeper .....	540 00	540 00	
Governess .....	420 00	420 00	
Total .....	\$75,340 00	\$75,340 00	
A 3. Unclassified—			
Medical service.....	1,500 00	1,500 00	
Total personal service...	\$76,840 00	\$76,840 00	\$153,680 00
Maintenance—			
C. Supplies—			
C 1. Food .....	\$1,800 00	\$1,800 00	
C 3. Fuel .....	300 00	300 00	
C 4. Office .....	350 00	350 00	
C 4-a. Postage .....	1,300 00	1,300 00	

General Approp-  
riations.

## DEPARTMENT OF PUBLIC WELFARE—Concluded.

## DIVISION OF STATE CHARITIES—Concluded.

	First Year.	Second Year.	Biennium.
C 5. Medical and surgical----	300 00	300 00	
C 6. Cleaning -----	50 00	50 00	
C 10. Motor vehicle -----	500 00	500 00	
C 11. General plant-----	300 00	300 00	
Total -----	\$4,900 00	\$4,900 00	
E. Equipment—Replacement—			
E 1. Office -----	\$250 00	\$250 00	
E 2. Household -----	350 00	350 00	
E 6. Motor vehicle-----	100 00	100 00	
Total -----	\$700 00	\$700 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$100 00	\$100 00	
F 2. Motor vehicle repairs---	50 00	75 00	
F 3. Water -----	40 00	40 00	
F 4. Light, heat and power---	100 00	100 00	
F 5. Express, freight and drayage -----	50 00	50 00	
F 6. Traveling expense-----	32,000 00	32,000 00	
F 7. Communication -----	900 00	900 00	
F 9. General plant -----	400 00	400 00	
Total -----	\$33,640 00	\$33,665 00	
H. Fixed Charges and Contributions—			
H 6. Rent—			
Office -----	\$3,240 00	\$3,240 00	
Receiving home -----	2,000 00	2,000 00	
Total -----	\$5,240 00	\$5,240 00	
I. Rotary—			
A. Dependent Children—			
B. To provide for the care, treatment and education of crippled children -----	\$15,000 00	-----	
Total maintenance-----	\$59,480 00	\$44,505 00	\$103,985 00
Total maintenance and operation -----	\$136,320 00	\$121,345 00	\$257,665 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment-----	-----	-----	\$1,500 00
Total additions and betterments -----	-----	-----	\$1,500 00
Total division of state charities -----	-----	-----	\$259,165 00
Total department of public welfare-----	-----	-----	\$12,976,249 00

## DEPARTMENT OF EDUCATION.

General Appropriations.

## DIVISION OF PUBLIC INSTRUCTION.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$6,500 00	\$6,500 00	
Assistant to director .....	3,500 00	3,500 00	
Chief of division of examination and licensing .....	2,500 00	2,500 00	
Inspector of teacher training .....	3,000 00	3,000 00	
Statistician and financial clerk .....	2,200 00	2,200 00	
Rural school supervisor .....	2,500 00	2,500 00	
2 High school supervisors .....	5,000 00	5,000 00	
Secretary .....	1,500 00	1,500 00	
Grade IV clerk .....	840 00	840 00	
Grade II stenographer .....	1,200 00	1,200 00	
Grade II stenographer .....	1,200 00	1,200 00	
3 Grade III stenographers .....	2,700 00	2,700 00	
Total .....	\$32,640 00	\$32,640 00	
A 2. Wages—			
Per diem state board of school examiners .....	\$1,000 00	\$1,000 00	
Extra stenographic work .....	600 00	600 00	
Total .....	\$1,600 00	\$1,600 00	
Total personal service .....	\$34,240 00	\$34,240 00	\$68,480 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$600 00	\$600 00	
C 4-a. Postage .....	2,400 00	2,400 00	
Total .....	\$3,000 00	\$3,000 00	
E. Equipment—Replacement—			
E 1. Office .....	\$250 00	\$250 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$25 00	\$25 00	
F 6. Traveling expense .....	7,500 00	7,500 00	
F 7. Communication .....	750 00	750 00	
F 9. General plant .....	750 00	750 00	
Total .....	\$9,025 00	\$9,025 00	
H. Fixed Charges and Contributions—			
H 8. Contributions—			
State contribution toward salaries of county superintendents .....	\$88,000 00	\$88,000 00	
State contribution toward salaries of district superintendents .....	175,000 00	175,000 00	
State contribution toward districts with county normal schools .....	90,000 00	90,000 00	
State contribution toward model rural schools .....	6,000 00	6,000 00	
Total .....	\$359,000 00	\$359,000 00	
Total maintenance .....	\$371,275 00	\$371,275 00	\$742,550 00
Total maintenance and operation .....	\$405,515 00	\$405,515 00	\$811,030 00

General Approp-  
riations.

## DEPARTMENT OF EDUCATION—Continued.

## DIVISION OF PUBLIC INSTRUCTION—Concluded.

G. Additions and Betterments—	First Year.	Second Year.	Biennium.
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment -----	-----	-----	\$100 00
Total additions and bet- terments -----	-----	-----	\$100 00
Total division of public instruction -----	-----	-----	\$811,130 00

## STATE BOARD OF EDUCATION.

Maintenance—	First Year.	Second Year.	Biennium.
C. Supplies—			
C 4. Office -----	\$50 00	\$50 00	
C 4-a. Postage -----	300 00	300 00	
Total -----	\$350 00	\$350 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$15 00	\$15 00	
F 7. Communication -----	100 00	100 00	
F 9. General Plant—			
Co-operative work with fed- eral government in voca- tional education in ac- cordance with provisions of the Smith-Hughes law	200,000 00	225,000 00	
Co-operative work with fed- eral government in indus- trial rehabilitation in ac- cordance with provisions of the Tracy-Copps law--	54,710 00	54,710 00	
Total -----	\$254,825 00	\$279,825 00	
Total maintenance-----	\$255,175 00	\$280,175 00	\$535,350 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment -----	-----	-----	\$100 00
Total additions and bet- terments -----	-----	-----	\$100 00
Total state board of education -----	-----	-----	\$535,450 00

## DIVISION—FILM CENSORSHIP.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Chief of division -----	\$3,600 00	\$3,600 00	
2 Assistants-----	3,600 00	3,600 00	
2 Operators-----	2,400 00	2,400 00	
Grade II clerk-----	1,200 00	1,200 00	
2 Grade III clerks-----	1,800 00	1,800 00	
Grade II stenographer-----	1,080 00	1,080 00	
2 Grade III stenographers-----	1,800 00	1,800 00	
Grade II typist-----	900 00	900 00	
Total personal service--	\$16,380 00	\$16,380 00	\$32,760 00

## DEPARTMENT OF EDUCATION—Continued.

General Appropriations.

## DIVISION—FILM CENSORSHIP—Concluded.

	First Year.	Second Year.	Biennium.
Maintenance—			
C. Supplies—			
C 4. Office -----	\$500 00	\$500 00	
C 4-a. Postage -----	140 00	140 00	
C 11. General Plant—			
Leaders -----	4,000 00	4,000 00	
Other -----	100 00	100 00	
Total -----	\$4,740 00	\$4,740 00	
E. Equipment—Replacement—			
E 1. Office -----	\$200 00	\$200 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$200 00	\$200 00	
F 5. Express, freight and drayage -----	25 00	25 00	
F 6. Traveling expense -----	300 00	300 00	
F 7. Communication -----	350 00	350 00	
F 9. General plant -----	100 00	100 00	
Total -----	\$975 00	\$975 00	
H. Fixed Charges and Contributions—			
H 6. Rent -----	1,500 00	1,500 00	
Total maintenance -----	\$7,415 00	\$7,415 00	14,830 00
Total maintenance and operation -----	\$23,795 00	\$23,795 00	\$47,590 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office -----			\$100 00
Total additions and betterments -----			\$100 00
Total division of film censorship -----			\$47,690 00

## STATE LIBRARY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Librarian -----	\$3,000 00	\$3,000 00	
Assistant librarian -----	1,500 00	1,500 00	
Assistant secretary -----	1,200 00	1,200 00	
Document librarian -----	1,100 00	1,100 00	
8 Assistants -----	7,380 00	7,380 00	
Stenographer -----	900 00	900 00	
Messenger -----	900 00	900 00	
Library organizer -----	1,500 00	1,500 00	
Office assistant -----	900 00	900 00	
Superintendent traveling library -----	1,200 00	1,200 00	
4 Assistants -----	3,600 00	3,600 00	
Stenographer -----	900 00	900 00	
Janitor -----	780 00	780 00	
Assistant director legislative reference -----	2,400 00	2,400 00	
Librarian legislative reference -----	1,020 00	1,020 00	

General Approp-  
riations.

## DEPARTMENT OF EDUCATION—Continued.

## STATE LIBRARY—Concluded.

	First Year.	Second Year.	Biennium.
Secretary -----	1,140 00	1,140 00	
Research assistant-----	1,200 00	1,200 00	
Total -----	\$30,620 00	\$30,620 00	
A 2. Wages -----	450 00	1,950 00	
Total personal service--	\$31,070 00	\$32,570 00	\$63,640 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$800 00	\$800 00	
C 4-a. Postage -----	550 00	550 00	
Total -----	\$1,350 00	\$1,350 00	
E. Equipment—Replacement—			
E 1. Office -----	\$225 00	\$225 00	
E 9. General plant-----	5,300 00	5,300 00	
Total -----	\$5,525 00	\$5,525 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$135 00	\$135 00	
F 4. Light, heat and power---	80 00	80 00	
F 5. Express, freight and drayage -----	10 00	10 00	
F 6. Traveling expense -----	1,100 00	1,100 00	
F 7. Communication -----	645 00	645 00	
F 9. General plant-----	100 00	100 00	
Total -----	\$2,070 00	\$2,070 00	
H. Fixed Charges and Contributions—			
H 6. Rent -----	\$2,400 00	\$2,400 00	
Total maintenance-----	\$11,345 00	\$11,345 00	\$22,690 00
Total state library-----	\$42,415 00	\$43,915 00	\$86,330 00

## GEOLOGICAL SURVEY OF OHIO.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Geologist -----	\$1,500 00	\$1,500 00	
Assistant geologist-----	2,240 00	2,240 00	
Grade II stenographer-----	1,080 00	1,080 00	
Total -----	\$4,820 00	\$4,820 00	
A 2. Wages—			
5 Assistant geologists-----	\$1,875 00	\$1,875 00	
Student assistants -----	50 00	50 00	
Total -----	\$1,925 00	\$1,925 00	
Total personal service -	\$6,745 00	\$6,745 00	\$13,490 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$100 00	\$100 00	
C 4-a. Postage -----	125 00	125 00	
C 11. General plant-----	150 00	150 00	
Total -----	\$375 00	\$375 00	

## DEPARTMENT OF EDUCATION—Concluded.

General Appo-  
riations.

## GEOLOGICAL SURVEY OF OHIO—Concluded.

E. Equipment—Replacement—	First Year.	Second Year.	Biennium.
E 1. Office .....	\$150 00	\$25 00	
E 9. General plant.....	100 00	100 00	
Total .....	\$250 00	\$125 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$30 00	\$30 00	
F 5. Express, freight and drayage .....	150 00	150 00	
F 6. Traveling expense.....	2,000 00	2,000 00	
F 7. Communication .....	35 00	35 00	
F 9. General plant.....	100 00	100 00	
Total .....	\$2,315 00	\$2,315 00	
Total maintenance.....	\$2,940 00	\$2,815 00	\$5,755 00
Total geological survey of Ohio.....	\$9,685 00	\$9,560 00	\$19,245 00
Total department of education .....			\$1,499,845 00

## BOWLING GREEN STATE NORMAL SCHOOL.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
President .....	\$5,500 00	\$5,500 00	
Professors, instructors and other employees— Student fees and .....	75,160 00	75,160 00	
Total .....	\$80,660 00	\$80,660 00	
A 2. Wages—			
Critic teachers—Part time .....	\$1,500 00	\$1,500 00	
Student help .....	1,500 00	1,500 00	
Extra clerk hire.....	500 00	500 00	
Extra labor .....	500 00	500 00	
Summer school—Student fees and .....	15,000 00	15,000 00	
Total .....	\$19,000 00	\$19,000 00	
A 3. Unclassified—			
Commencement speakers.....	\$140 00	\$140 00	
Other .....	200 00	200 00	
Total .....	\$340 00	\$340 00	
Total personal service..	\$100,000 00	\$100,000 00	\$200,000 00
Maintenance—			
C. Supplies—			
C 1. Food .....	\$150 00	\$150 00	
C 3. Fuel .....	10,200 00	10,200 00	
C 4. Office .....	450 00	450 00	
C 4-a. Postage .....	300 00	300 00	
C 5. Medical and surgical...	50 00	50 00	
C 6. Cleaning .....	200 00	200 00	
C 8. Educational .....	2,000 00	2,000 00	
C 8-a. Recreational .....	200 00	200 00	
C 9. Agricultural .....	250 00	250 00	
C 11. General plant.....	1,800 00	1,800 00	
Total .....	\$15,600 00	\$15,600 00	

General Approp-  
riations.

## BOWLING GREEN STATE NORMAL SCHOOL—Concluded.

	First Year.	Second Year.	Biennium.
D. Materials—			
D 3. General plant .....	\$100 00	\$150 00	
E. Equipment—Replacement—			
E 1. Office .....	\$75 00	\$75 00	
E 8. Educational .....	2,000 00	2,000 00	
E 9. General plant .....	650 00	650 00	
Total .....	\$2,725 00	\$2,725 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$2,000 00	\$2,000 00	
F 3. Water .....	1,200 00	-----	
F 4. Light, heat and power .....	1,500 00	1,500 00	
F 5. Express, freight and drayage .....	150 00	150 00	
F 6. Traveling expense .....	2,500 00	2,500 00	
F 7. Communication .....	175 00	175 00	
F 9. General plant .....	1,900 00	1,900 00	
Total .....	\$9,425 00	\$8,225 00	
H. Fixed Charges and Contributions—			
H 8. Contributions—			
Teachers' retirement fund .....	\$3,800 00	\$3,800 00	
Total maintenance .....	\$31,650 00	\$30,500 00	62,150 00
Total maintenance and operation .....	\$131,650 00	\$130,500 00	\$262,150 00
G. Additions and Betterments—			
G 1. Lands .....	-----	-----	\$10,500 00
G 2. Buildings—			
Dormitory for women .....	-----	-----	150,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Educational equipment .....	-----	-----	3,000 00
Equipment training school building .....	-----	-----	500 00
Library books .....	-----	-----	3,500 00
G 32. Other Capital Outlay—			
Extension tunnel system .....	-----	-----	10,800 00
Water system .....	-----	-----	10,000 00
Improvement of grounds .....	-----	-----	12,500 00
Total additions and betterments .....	-----	-----	\$200,800 00
Total Bowling Green State Normal school .....	-----	-----	\$462 950 00



## KENT STATE NORMAL SCHOOL.

General Appropriations.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
President .....	\$5,500 00	\$5,500 00	
Professors, instructors and other employes— Student fees and .....	75,160 00	75,160 00	
Total .....	\$80,660 00	\$80,660 00	
A 2. Wages .....	\$4,000 00	\$4,000 00	
Summer school—Student fees and .....	15,000 00	15,000 00	
Total .....	\$19,000 00	\$19,000 00	
A 3. Unclassified .....	340 00	340 00	
Total personal service..	\$100,000 00	\$100,000 00	\$200,000 00
Maintenance—			
C. Supplies—			
C 1. Food .....	\$150 00	\$150 00	
C 2. Forage .....	300 00	300 00	
C 3. Fuel .....	10,200 00	10,200 00	
C 4. Office .....	300 00	300 00	
C 4-a. Postage .....	450 00	450 00	
C 5. Medical and surgical...	50 00	50 00	
C 6. Cleaning .....	200 00	200 00	
C 8. Educational .....	2,000 00	2,000 00	
C 8-a. Recreational .....	200 00	200 00	
C 9. Agricultural .....	250 00	250 00	
C 11. General plant .....	1,800 00	1,800 00	
Total .....	\$15,900 00	\$15,900 00	
D Materials—			
D 3. General plant .....	\$100 00	\$150 00	
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$100 00	
E 8. Educational .....	2,000 00	2,000 00	
E 9. General plant .....	650 00	650 00	
Total .....	\$2,850 00	\$2,750 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$8,000 00	\$2,000 00	
F 3. Water .....	1,700 00	1,700 00	
F 4. Light, heat and power...	1,500 00	1,500 00	
F 5. Express, freight and drayage .....	50 00	50 00	
F 6. Traveling expense.....	2,500 00	2,500 00	
F 7. Communication .....	240 00	240 00	
F 9. General plant.....	2,000 00	2,000 00	
Total .....	\$15,990 00	\$9,990 00	
H. Fixed Charges and Contri- butions—			
H 6. Rent .....	\$40 00	\$40 00	
H 8. Contributions—			
Teachers' retirement fund..	3,800 00	3,800 00	
Total .....	\$3,840 00	\$3,840 00	
Total maintenance.....	\$38,680 00	\$32,630 00	\$71,310 00
Total maintenance and operation .....	\$138,680 00	\$132,630 00	\$271,310 00

## General Appropriations.

## KENT STATE NORMAL SCHOOL—Concluded.

	First Year.	Second Year.	Biennium.
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Educational .....	-----	-----	\$3,000 00
3 Section horse lawn mower .....	-----	-----	600 00
Library books .....	-----	-----	3,500 00
G 32. Other Capital Outlay—			
Grading campus .....	-----	-----	5,000 00
Total additions and betterments .....	-----	-----	\$12,100 00
Total Kent State Normal school .....	-----	-----	\$283,410 00

## MIAMI UNIVERSITY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
President .....	\$7,500 00	\$7,500 00	
Professors, instructors and other employees—Student fees and .....	191,840 00	191,840 00	
Above to include field workers, special teacher of group and two faculty members for the training of teachers for instruction of sub-normal and delinquent children.			
Total .....	\$199,340 00	\$199,340 00	
A 2. Wages—			
Summer school—Student fees and .....	\$14,000 00	\$14,000 00	
Other .....	8,000 00	8,000 00	
Total .....	\$22,000 00	\$22,000 00	
A 3. Unclassified .....	\$340 00	\$340 00	
Total personal service..	\$221,680 00	\$221,680 00	\$443,360 00
Maintenance—			
C. Supplies—			
C 3. Fuel .....	\$15,350 00	\$15,350 00	
C 4. Office .....	2,000 00	2,000 00	
C 4-a. Postage .....	1,700 00	1,700 00	
C 6. Cleaning .....	275 00	275 00	
C 8. Educational .....	2,900 00	2,900 00	
C 9. Agricultural .....	250 00	250 00	
C 10. Motor vehicle .....	300 00	300 00	
C 11. General plant .....	1,000 00	1,000 00	
Total .....	\$23,775 00	\$23,775 00	
D. Materials—			
D 3. General plant .....	\$250 00	\$275 00	
E. Equipment—Replacement—			
E 1. Office .....	\$100 00	\$100 00	
E 8. Educational .....	1,700 00	1,700 00	
E 8-a. Recreational .....	500 00	500 00	
E 9. General plant .....	1,500 00	1,500 00	
Total .....	\$3,800 00	\$3,800 00	

## MIAMI UNIVERSITY—Concluded.

General Approp-  
riations.

F. Contract and Open Order Service—	First Year.	Second Year.	Biennium.
F 1. Repairs .....	\$7,500 00	\$7,500 00	
F 3. Water .....	2,250 00	2,250 00	
F 4. Light, heat and power.....	800 00	800 00	
F 5. Express, freight and drayage .....	100 00	100 00	
F 6. Traveling expense.....	3,000 00	3,000 00	
F 7. Communication .....	900 00	900 00	
F 9. General Plant—			
All endowment monies due Miami University on account of rent and taxes in Oxford, Milford and Hanover townships, and..	9,000 00	9,000 00	
Total .....	\$23,550 00	\$23,550 00	
H. Fixed Charges and Contributions—			
H 8. Contributions .....	\$967 00	\$967 00	
Teachers' retirement fund..	8,000 00	8,000 00	
Total .....	\$8,967 00	\$8,967 00	
I. Rotary—			
Total maintenance.....	\$60,342 00	\$60,367 00	\$120,709 00
Total maintenance and operation .....	\$282,022 00	\$282,047 00	\$564,069 00
G. Additions and Betterments—			
G 2. Buildings—			
Lunch room and laboratory —Training school .....			\$3,200 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment.....			400 00
Library equipment.....			6,500 00
Other educational equipment .....			3,800 00
G 32. Other Capital Outlay—			
One 150 H. P. boiler, complete, erected in place .....			7,000 00
Brick stack, power plant.....			10,000 00
Direct radiation, South pavilion, McGuffey hall .....			2,000 00
Electric motor for fan, McGuffey hall.....			500 00
Walks, drives, grading.....			3,000 00
Total additions and betterments .....			\$36,400 00
Total Miami University .....			\$600,469 00

General Approp-  
riations.

## OHIO UNIVERSITY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
President—Student fees not exceeding \$1,500.00, as determined by the board of trustees and-----	\$7,500 00	\$7,500 00	
Professors, instructors and other employees—Student fees and-----	204,000 00	204,000 00	
Total -----	\$211,500 00	\$211,500 00	
A 2. Wages—			
Extra clerks and laborers----	\$4,500 00	\$4,500 00	
Summer school—Student fees and-----	17,000 00	17,000 00	
Total -----	\$21,500 00	\$21,500 00	
Total personal service.	\$233,000 00	\$233,000 00	\$466,000 00
Maintenance—			
C. Supplies—			
C 2. Forage -----	\$150 00	\$150 00	
C 3. Fuel -----	13,500 00	13,500 00	
C 4. Office -----	800 00	800 00	
C 4-a. Postage -----	400 00	400 00	
C 6. Cleaning -----	275 00	275 00	
C 8. Educational -----	2,350 00	2,350 00	
C 8-a. Recreational -----	150 00	150 00	
C 9. Agricultural -----	150 00	150 00	
C 11. General plant-----	1,000 00	1,000 00	
Total -----	\$18,775 00	\$18,775 00	
D. Materials—			
D 3. General plant -----	\$250 00	\$275 00	
E. Equipment—Replacement—			
E 1. Office -----	\$100 00	\$100 00	
E 8. Educational -----	1,700 00	1,700 00	
E 8-a. Recreational -----	150 00	150 00	
E 9. General plant-----	1,500 00	1,500 00	
Total -----	\$3,450 00	\$3,450 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$5,500 00	\$5,500 00	
F 3. Water -----	2,250 00	2,250 00	
F 4. Light, heat and power--	1,500 00	1,500 00	
F 5. Express, freight and drayage -----	100 00	100 00	
F 6. Traveling expense-----	3,000 00	3,000 00	
F 7. Communication -----	800 00	800 00	
F 9. General Plant—			
All endowment monies due Ohio University on account of rents and taxes in Athens and Alexander townships and-----	4,500 00	4,500 00	
Total -----	\$17,650 00	\$17,650 00	

## OHIO UNIVERSITY—Concluded.

General Appropriations.

H. Fixed Charges and Contributions—	First Year.	Second Year.	Biennium.
H 8. Contributions—			
Teachers' retirement fund--	\$8,000 00	\$8,000 00	
Total maintenance-----	\$48,125 00	\$48,150 00	\$96,275 00
Total maintenance and operation -----	\$281,125 00	\$281,150 00	\$562,275 00
G. Additions and Betterments—			
G 1. Lands—			
One lot with house-----	-----	-----	\$9,000 00
G 2. Buildings—			
Women's gymnasium with equipment -----	-----	-----	50,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment-----	-----	-----	300 00
Library books-----	-----	-----	3,800 00
Other educational equipment -----	-----	-----	6,500 00
G 32. Other Capital Equipment—			
350 H. P. boiler and connection -----	-----	-----	14,000 00
Smoke stack and connection -----	-----	-----	10,000 00
Coal conveyor-----	-----	-----	3,500 00
Wire cable for electric current in new tunnel--	-----	-----	1,700 00
Total additions and betterments -----	-----	-----	\$98,800 00
Total Ohio University -	-----	-----	\$661,075 00

## OHIO STATE UNIVERSITY.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
President -----	\$10,000 00	\$10,000 00	
Professors, instructors and other employees — Student fees and -----	1,256,939 00	1,256,939 00	
Fourth quarter-----	60,000 00	60,000 00	
Total -----	\$1,326,939 00	\$1,326,939 00	
A 2. Wages—			
Labor -----	\$50,000 00	\$50,000 00	
Prison labor -----	5,000 00	5,000 00	
Total -----	\$55,000 00	\$55,000 00	
A 3. Unclassified -----	15,000 00	15,000 00	
Total personal service--	\$1,396,939 00	\$1,396,939 00	\$2,793,878 00
Maintenance—			
C. Supplies—			
C 1. Food -----	\$2,000 00	\$2,000 00	
C 2. Forage -----	7,000 00	7,000 00	
C 3. Fuel -----	50,000 00	50,000 00	
C 4. Office -----	8,000 00	8,000 00	
C 4-a. Postage -----	7,000 00	7,000 00	

General Approp-  
riations.

## OHIO STATE UNIVERSITY—Continued.

	First Year.	Second Year.	Biennium.
C 5. Medical and surgical --	2,500 00	2,500 00	
C 6. Cleaning -----	2,000 00	2,000 00	
C 8. Educational -----	45,000 00	45,000 00	
C 9. Agricultural -----	1,500 00	1,500 00	
C 11. General plant-----	7,500 00	7,500 00	
Total -----	\$132,500 00	\$132,500 00	
D. Materials—			
D 2. Building -----	\$3,000 00	\$3,000 00	
D 3. General plant -----	20,000 00	20,000 00	
Total -----	\$23,000 00	\$23,000 00	
E. Equipment—Replacement—			
E 1. Office -----	\$500 00	\$500 00	
E 3. Medical and surgical ---	2,000 00	2,000 00	
E 4. Livestock -----	3,500 00	3,500 00	
E 5. Agricultural -----	1,000 00	1,000 00	
E 8. Educational—			
Library books-----	2,000 00	2,000 00	
Law books-----	500 00	500 00	
Medical books-----	300 00	300 00	
Other -----	4,000 00	4,000 00	
E 9. General plant-----	10,000 00	10,000 00	
Total -----	\$23,800 00	\$23,800 00	
F Contract and Open Order			
Service—			
F 1. Repairs -----	\$25,000 00	\$25,000 00	
F 2. Motor vehicle repairs---	1,000 00	1,000 00	
F 3. Water -----	15,000 00	15,000 00	
F 4. Light, heat and power --	2,500 00	2,500 00	
F 5. Express, freight and			
drayage -----	2,500 00	2,500 00	
F 6. Traveling expense-----	3,000 00	3,000 00	
F 7. Communication -----	6,500 00	6,500 00	
F 9. General plant-----	50,000 00	50,000 00	
Engineering experiment sta-			
tion -----	10,000 00	10,000 00	
Total -----	\$115,500 00	\$115,500 00	
H. Fixed Charges and Contri-			
butions—			
H 6. Rent -----	\$2,360 00	\$2,360 00	
H 7. Insurance -----	125 00	125 00	
H 8. Contributions -----	1,500 00	1,500 00	
Teachers' retirement fund--	48,000 00	48,000 00	
Total -----	\$51,985 00	\$51,985 00	
I. Rotary—			
For the maintenance of the			
veterinary clinic, dental			
clinic, homeopathic clinic,			
laboratory supply store, gen-			
eral store room, journalism,			
mechanics and laundry; all			
monies derived from sales			
of farm products, dairy			
products, livestock; and all			

## OHIO STATE UNIVERSITY—Continued.

General Appropriations.

	First Year.	Second Year.	Biennium.
monies donated by individuals for specific purposes----	-----	-----	-----
Total maintenance-----	\$346,785 00	\$346,785 00	\$693,570 00
Total maintenance and operation -----	\$1,743,724 00	\$1,743,724 00	\$3,487,448 00
G. Additions and Betterments—			
G 2. Buildings—			
One wing to power house---	-----	-----	\$75,000 00
Girls' dormitory-----	-----	-----	150,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Boiler, stoker and fittings-----	-----	-----	35,000 00
Coal crusher and loader house-----	-----	-----	3,000 00
Belt coal conveyor-----	-----	-----	5,000 00
Floating dredge with one one-half yard dipper---	-----	-----	22,200 00
Dinkey locomotive-----	-----	-----	7,500 00
8 Four yard dump cars-----	-----	-----	2,400 00
2,000 Feet rails, splice bars, bolts and spikes---	-----	-----	2,000 00
1,000 Ties-----	-----	-----	900 00
Office equipment-----	-----	-----	4,000 00
Library books-----	-----	-----	20,000 00
Law library books-----	-----	-----	5,000 00
Medical library books-----	-----	-----	2,000 00
Other educational equipment-----	-----	-----	100,000 00
G 32. Other Capital Outlay—			
New sidewalks-----	-----	-----	4,000 00
Total additions and betterments-----	-----	-----	\$438,000 00
Total Ohio State University-----	-----	-----	\$3,925,448 00

## AGRICULTURAL EXTENSION, OHIO STATE UNIVERSITY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries-----	\$128,901 33	\$128,901 33	
For 12 additional county agents, 6 home demonstrators, 6 boys' and girls' club leaders-----	17,100 00	17,100 00	
Special appropriation for advanced registry work in dairy cattle-----	4,000 00	4,000 00	
Total-----	\$150,001 33	\$150,001 33	
A 2. Wages—			
Farmers' institute speakers---	\$7,000 00	\$7,000 00	
Other-----	1,000 00	1,000 00	
Total-----	\$8,000 00	\$8,000 00	
A 3. Unclassified—			
Farmers' week speakers-----	\$750 00	\$750 00	
Total personal service---	\$158,751 33	\$158,751 33	\$317,502 66

## General Appropriations.

## OHIO STATE UNIVERSITY—Concluded.

	First Year.	Second Year.	Biennium.
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,000 00	\$1,000 00	
C 4-a. Postage .....	1,000 00	1,000 00	
C 8. Educational .....	300 00	300 00	
Total .....	\$2,300 00	\$2,300 00	
D. Materials—			
D 3. General plant .....	\$100 00	\$100 00	
E. Equipment—Replacement—			
E 1. Office .....	\$300 00	\$300 00	
E 8. Educational .....	2,500 00	2,500 00	
Total .....	\$2,800 00	\$2,800 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$50 00	\$50 00	
F 6. Traveling expense.....	23,600 00	23,600 00	
F 7. Communication .....	500 00	500 00	
F 9. General plant.....	3,000 00	3,000 00	
Total .....	\$27,150 00	\$27,150 00	
Total maintenance.....	\$32,350 00	\$32,350 00	\$64,700 00
Total agricultural extension, Ohio State University .....	\$191,101 33	\$191,101 33	\$382,202 66

## COMBINED NORMAL AND INDUSTRIAL DEPARTMENT OF WILBERFORCE UNIVERSITY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Superintendent .....	\$4,000 00	\$4,000 00	
Executive clerk.....	2,400 00	2,400 00	
Director elementary training.....	2,000 00	2,000 00	
Record clerk and registrar....	1,500 00	1,500 00	
Bookkeeper and stenographer	1,300 00	1,300 00	
Custodian .....	1,400 00	1,400 00	
Farmer .....	900 00	900 00	
Farm hand.....	720 00	720 00	
2 Engineers.....	2,400 00	2,400 00	
Night Watchman.....	900 00	900 00	
Fireman .....	1,000 00	1,000 00	
Student janitors.....	2,000 00	2,000 00	
Instructors and other minor employees—			
Normal and industrial department student fees, deposits and.....	45,700 00	45,700 00	
Total .....	\$66,220 00	\$66,220 00	
A 2. Wages—			
Extra labor.....	\$3,500 00	\$3,500 00	



COMBINED NORMAL AND INDUSTRIAL DEPARTMENT OF  
WILBERFORCE UNIVERSITY—Continued.

General Approp-  
riations.

	First Year.	Second Year.	Biennium.
A 3. Unclassified—			
Extension teaching-----	\$4,500 00	\$4,500 00	
Other -----	200 00	200 00	
Total -----	\$4,700 00	\$4,700 00	
Total personal service-----	\$74,420 00	\$74,420 00	\$148,840 00
Maintenance—			
C. Supplies—			
C 1. Food -----	\$125 00	\$125 00	
C 2. Forage -----	400 00	400 00	
C 3. Fuel -----	12,500 00	12,500 00	
C 4. Office -----	175 00	175 00	
C 4-a. Postage -----	225 00	225 00	
C 5. Medical and surgical-----	150 00	150 00	
C 6. Cleaning -----	300 00	300 00	
C 8. Educational -----	1,800 00	1,800 00	
C 9. Agricultural -----	400 00	400 00	
C 10. Motor vehicle -----	900 00	900 00	
C 11. General plant-----	1,000 00	1,000 00	
Total -----	\$17,975 00	\$17,975 00	
D. Materials—			
D 2. Building -----	\$2,000 00	\$2,000 00	
D 3. General plant -----	1,500 00	1,500 00	
Total -----	\$3,500 00	\$3,500 00	
E. Equipment—Replacement—			
E 1. Office -----	\$100 00	\$100 00	
E 2. Household -----	800 00	800 00	
E 4. Livestock -----	1,000 00	1,000 00	
E 5. Motorless vehicles-----	400 00	400 00	
E 6. Motor vehicles -----	657 00	657 00	
E 7. Wearing apparel-----	100 00	100 00	
E 8. Educational -----	2,000 00	2,000 00	
E 8-a. Recreational -----	540 00	540 00	
E 9. General plant -----	350 00	350 00	
Total -----	\$5,947 00	\$5,947 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$2,788 00	\$2,788 00	
F 2. Motor vehicle repairs-----	250 00	250 00	
F 5. Express, freight and drayage -----	300 00	300 00	
F 6. Traveling expense-----	850 00	850 00	
F 7. Communication -----	320 00	320 00	
F 9. General plant-----	600 00	600 00	
Teaching service Wilberforce University-----	5,000 00	5,000 00	
Total -----	\$10,108 00	\$10,108 00	
H. Fixed Charges and Contributions—			
H 6. Rent -----	\$8 00	\$8 00	
H 8. Contributions -----	125 00	125 00	
Total -----	\$133 00	\$133 00	
I. Rotary—			
Total maintenance-----	\$37,663 00	\$37,663 00	\$75,326 00
Total maintenance and operation -----	\$112,083 00	\$112,083 00	\$224,166 00

General Approp-  
riations.COMBINED NORMAL AND INDUSTRIAL DEPARTMENT OF  
WILBERFORCE UNIVERSITY—Concluded.

G. Additions and Betterments—	First Year.	Second Year.	Biennium.
G 2. Buildings—			
Piggery .....	-----	-----	\$200 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
250 H. P. boiler.....	-----	-----	8,000 00
Engine .....	-----	-----	4,400 00
1,500 Feet 4-inch fire main.....	-----	-----	1,635 00
Wagon scales.....	-----	-----	400 00
Patent resaw attachment.....	-----	-----	500 00
Shaper dovetail attach- ment .....	-----	-----	300 00
Hand planer and joiner .....	-----	-----	1,500 00
Universal saw table, motor driven.....	-----	-----	1,500 00
Swing cut off saw, motor driven .....	-----	-----	700 00
Silo filler.....	-----	-----	455 00
Linotype machine .....	-----	-----	3,800 00
G 32. Other Capital Outlay—			
Stuccoing trades building.....	-----	-----	2,400 00
5,000 Feet of scaffolding.....	-----	-----	450 00
Fencing .....	-----	-----	350 00
3,000 Cubic yards of grad- ing .....	-----	-----	450 00
Cement floor auto shed.....	-----	-----	200 00
600 Feet 2-inch fire hose.....	-----	-----	900 00
1,500 Square feet of walks.....	-----	-----	300 00
Drainage and sewerage .....	-----	-----	360 00
Total additions and bet- terments .....	-----	-----	\$28,800 00
Total combined normal and industrial depart- ment of Wilberforce University .....	-----	-----	\$252,966 00

## OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Superintendent .....	\$2,100 00	\$2,100 00	
Chief matron.....	720 00	720 00	
Bookkeeper .....	1,080 00	1,080 00	
Storekeeper .....	900 00	900 00	
Assistant storekeeper .....	420 00	420 00	
Superintendent of schools.....	1,800 00	1,800 00	
Physician .....	1,500 00	1,500 00	
Dentist .....	540 00	540 00	
25 Teachers.....	14,000 00	14,000 00	
35 Matrons.....	18,780 00	18,780 00	
Minor officers and employes.....	55,000 00	55,000 00	
Total .....	\$96,840 00	\$96,840 00	
A 2. Wages .....	2,800 00	2,800 00	
A 3. Unclassified .....	500 00	500 00	
Total personal service.....	\$100,140 00	\$100,140 00	\$200,280 00
Maintenance—			
C. Supplies—			
C 1. Food .....	\$80,000 00	\$80,000 00	
C 2. Forage .....	7,500 00	7,500 00	
C 3. Fuel .....	21,000 00	21,000 00	

## OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME—Continued.

General Approp-  
riations.

	First Year.	Second Year.	Biennium.
C 4. Office .....	125 00	125 00	
C 4-a. Postage .....	225 00	225 00	
C 5. Medical and surgical....	500 00	500 00	
C 6. Cleaning .....	4,000 00	4,000 00	
C 8. Educational .....	850 00	850 00	
C 8-a. Recreational .....	100 00	100 00	
C 9. Agricultural .....	600 00	600 00	
C 10. Motor vehicle .....	200 00	200 00	
C 11. General plant.....	3,500 00	3,500 00	
Total .....	\$118,600 00	\$118,600 00	
D. Materials—			
D 2. Building .....	\$3,500 00	\$3,500 00	
D 3. General plant .....	20,000 00	20,000 00	
Total .....	\$23,500 00	\$23,500 00	
E. Equipment—Replacement—			
E 1. Office .....	\$150 00	\$75 00	
E 2. Household .....	4,000 00	4,000 00	
E 3. Medical and surgical .....	250 00	250 00	
E 4. Livestock .....	150 00	150 00	
E 5. Motorless vehicles.....	100 00	100 00	
E 6. Motor vehicle.....	100 00	300 00	
E 7. Wearing apparel .....	2,000 00	2,000 00	
E 8. Educational .....	1,000 00	1,000 00	
E 8-a. Recreational .....	500 00	250 00	
E 9. General plant.....	4,500 00	4,500 00	
Total .....	\$12,750 00	\$12,625 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$5,000 00	\$5,000 00	
F 2. Motor vehicle repairs....	100 00	200 00	
F 5. Express, freight and drayage .....	300 00	300 00	
F 6. Traveling expense .....	2,500 00	2,500 00	
F 7. Communication .....	375 00	375 00	
F 9. General plant.....	1,500 00	1,500 00	
Total .....	\$9,775 00	\$9,875 00	
H. Fixed Charges and Contri- butions—			
H 6. Rent .....	\$525 00	\$525 00	
H 7. Insurance .....	110 00	110 00	
H 8. Contributions—			
Presents to discharged pupils	2,000 00	2,000 00	
Teachers' retirement fund..	1,200 00	1,200 00	
Total .....	\$3,835 00	\$3,835 00	
Total maintenance.....	\$168,460 00	\$168,435 00	\$336,895 00
Total maintenance and operation .....	\$268,600 00	\$268,575 00	\$537,175 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Seats in chapel .....			\$1,000 00
Linotype machine .....			3,800 00
Manure spreader .....			180 00

## General Appropriations.

## OHIO SOLDIERS' AND SAILORS' ORPHANS' HOME—Concluded.

	First Year.	Second Year.	Biennium.
G 32. Other Capital Outlay—			
Improving water system .....	-----	-----	1,000 00
Lights for grounds.....	-----	-----	250 00
Total additions and betterments .....	-----	-----	\$6,230 00
Total Ohio Soldiers' & Sailors' Orphans' Home .....	-----	-----	\$543,405 00

## AMERICANIZATION.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Supervisor .....	\$4,000 00	\$4,000 00	
Assistant in charge of teacher training .....	3,000 00	3,000 00	
Assistant .....	2,000 00	2,000 00	
Secretary .....	1,600 00	1,600 00	
Total .....	\$10,600 00	\$10,600 00	
A 3. Unclassified—			
Institute lectures and preparing material .....	4,500 00	4,500 00	
Total personal service.....	\$15,100 00	\$15,100 00	\$30,200 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$500 00	\$500 00	
F. Contract and Open Order Service—			
F 6. Traveling expense .....	4,500 00	4,500 00	
F 7. Communication .....	500 00	500 00	
F 9. General plant.....	500 00	500 00	
Total .....	\$5,500 00	\$5,500 00	
Total maintenance .....	\$6,000 00	\$6,000 00	12,000 00
Total maintenance and operation .....	\$21,100 00	\$21,100 00	\$42,200 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....	\$500 00	\$500 00	\$1,000 00
Total additions and betterments .....	-----	-----	\$1,000 00
Total Americanization .....	-----	-----	\$43,200 00

## OHIO AGRICULTURAL EXPERIMENT STATION.

General Approp-  
riations.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Director .....	\$4,000 00	\$4,000 00	
10 Department chiefs.....	35,000 00	35,000 00	
Bursar .....	2,200 00	2,200 00	
4 Associates .....	8,400 00	8,400 00	
27 Assistants.....	48,600 00	48,600 00	
Editor .....	1,800 00	1,800 00	
Librarian .....	1,300 00	1,300 00	
Photographer .....	780 00	780 00	
4 Office assistants.....	3,730 00	3,730 00	
4 Field assistants.....	4,450 00	4,450 00	
2 Engineers.....	2,100 00	2,100 00	
Mechanic .....	900 00	900 00	
Printer .....	960 00	960 00	
Mailing clerk.....	780 00	780 00	
3 Farm managers.....	3,150 00	3,150 00	
2 Herdsmen.....	1,800 00	1,800 00	
Shepherd .....	840 00	840 00	
5 Foremen.....	4,320 00	4,320 00	
Assistant foreman.....	960 00	960 00	
Stenographer .....	660 00	660 00	
2 Clerks.....	1,380 00	1,380 00	
4 Superintendents County Experiment farms.....	7,200 00	7,200 00	
Total .....	\$135,310 00	\$135,310 00	
A 2. Wages—			
Labor .....	50,000 00	50,000 00	
Total personal service...	\$185,310 00	\$185,310 00	\$370,620 00
Maintenance—			
C. Supplies—			
C 1. Food .....	\$10 00	\$10 00	
C 2. Forage .....	7,000 00	7,000 00	
C 3. Fuel .....	6,000 00	6,000 00	
C 4. Office .....	500 00	500 00	
C 4-a. Postage .....	1,000 00	1,000 00	
C 6. Cleaning .....	125 00	125 00	
C 9. Agricultural .....	2,250 00	2,250 00	
C 10. Motor vehicle.....	250 00	250 00	
C 11. General plant.....	6,500 00	6,500 00	
Total .....	\$23,635 00	\$23,635 00	
D. Materials—			
D 2. Building .....	\$1,000 00	\$1,000 00	
D 3. General plant.....	2,000 00	2,000 00	
Total .....	\$3,000 00	\$3,000 00	
E. Equipment—Replacement—			
E 1. Office .....	\$1,000 00	\$200 00	
E 5. Motorless vehicles.....	600 00	600 00	
E 7. Wearing apparel.....	20 00	20 00	
E 8. Educational .....	1,000 00	1,000 00	
E 9. General plant.....	5,500 00	5,500 00	
Total .....	\$8,120 00	\$7,320 00	

## General Appropriations.

## OHIO AGRICULTURAL EXPERIMENT STATION—Concluded.

F. Contract and Open Order Service—	First Year.	Second Year.	Biennium.
F 1. Repairs -----	\$5,000 00	\$5,000 00	
F 2. Motor vehicle repair -----	100 00	100 00	
F 4. Light, heat and power -----	250 00	250 00	
F 5. Express, freight and drayage -----	2,000 00	2,000 00	
F 6. Traveling expense -----	13,000 00	13,000 00	
F 7. Communication -----	550 00	550 00	
F 9. General plant -----	500 00	500 00	
All monies appropriated by the U. S. government which are now in the Adams-Hatch fund or which may be credited to such fund prior to July 1, 1923.			
Total -----	\$21,400 00	\$21,400 00	
H. Fixed Charges and Contributions—			
H 6. Rent -----	\$1,200 00	\$1,200 00	
H 7. Insurance -----	100 00	100 00	
H 8. Contributions -----	50 00	50 00	
Total -----	\$1,350 00	\$1,350 00	
I. Rotary—			
Animal industry, cost-feeding experimental work, dairying.			
Total maintenance -----	\$57,505 00	\$56,705 00	114,210 00
Total maintenance and operation -----	\$242,815 00	\$242,015 00	\$484,830 00
G. Additions and Betterments—			
G 2. Buildings—			
Printing building -----			\$18,000 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Motor truck -----			2,000 00
Tractor -----			1,000 00
G 32. Other Capital Outlay—			
Water system -----			3,500 00
Fencing -----			900 00
Total additions and betterments -----			\$25,400 00
Total Ohio agricultural Experiment station -----			\$510,230 00

## OHIO ARCHAEOLOGICAL AND HISTORICAL SOCIETY.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Secretary and librarian -----	\$3,500 00	\$3,500 00	
Curator and archaeologist -----	3,000 00	3,000 00	
Assistant curator -----	1,700 00	1,700 00	
Assistant librarian -----	840 00	840 00	
Stenographer -----	1,080 00	1,080 00	
Cataloguer and librarian -----			
Hayes memorial building -----	1,200 00	1,200 00	

## OHIO ARCHAEOLOGICAL AND HISTORICAL SOCIETY—Continued. General Appropriations.

	First Year.	Second Year.	Biennium.
Superintendent of building---	900 00	900 00	
Janitor -----	720 00	720 00	
Janitor -----	700 00	700 00	
Caretaker Fort Ancient park-	360 00	360 00	
Caretaker Serpent Mound			
park -----	240 00	240 00	
Caretaker Logan Elm park---	25 00	25 00	
Caretaker Spiegel Grove park-	1,200 00	1,200 00	
Bookkeeper -----	150 00	150 00	
Treasurer -----	300 00	300 00	
Binder -----	900 00	900 00	
Night watchman-----	1,000 00	1,000 00	
Total -----	\$17,815 00	\$17,815 00	
A 2. Wages---			
Workman Spiegel Grove park	500 00	500 00	
Total personal service--	\$18,315 00	\$18,315 00	\$36,630 00
Maintenance---			
C. Supplies---			
C 4. Office -----	\$125 00	\$125 00	
C 4-a. Postage -----	175 00	175 00	
C 11. General plant-----	500 00	500 00	
Total -----	\$800 00	\$800 00	
F. Contract and Open Order			
Service---			
F 1. Repairs -----	\$1,000 00	\$1,000 00	
F 3. Water -----	225 00	225 00	
F 4. Light, heat and power---	900 00	900 00	
F 5. Express, freight and			
drayage -----	150 00	150 00	
F 6. Traveling expense-----	300 00	300 00	
F 7. Communication -----	200 00	200 00	
F 8. Contingencies -----	50 00	50 00	
F 9. General Plant---			
Publications -----	3,000 00	3,000 00	
Exploration and field work-	2,000 00	2,000 00	
Publishing volumes of arch-			
aeological and historical			
reports compiled since last			
distribution--To be pro-			
rated among the legisla-			
tive districts of the state			
and to be distributed to			
schools and libraries des-			
ignated by members of the			
general assembly-----	5,000 00	-----	
Publishing a r c h a eological			
and historical reports--			
to be pro-rated among the			
legislative districts of the			
state and to be distributed			
to schools and libraries			
designated by members of			
the general assembly-----	13,500 00	-----	
Total -----	\$26,325 00	\$7,825 00	
Total maintenance -----	\$27,125 00	\$8,625 00	\$35,750 00
Total maintenance and			
operation -----	\$45,440 00	\$26,940 00	\$72,380 00

General Appropriations.

## OHIO ARCHAEOLOGICAL AND HISTORICAL SOCIETY—Concluded.

G. Additions and Betterments—	First Year.	Second Year.	Biennium.
G 1. Lands—			
Fort Amanda park.....	-----	-----	\$1,850 00
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Books, maps, manuscripts	-----	-----	500 00
and engravings .....	-----	-----	500 00
Museum collections .....	-----	-----	200 00
Office equipment .....	-----	-----	
G 32. Other Capital Outlay—			
Fence—Fort A m a n d a	-----	-----	500 00
park .....	-----	-----	
Road—Fort A m a n d a	-----	-----	500 00
park .....	-----	-----	
Total additions and bet-			
terments .....	-----	-----	\$4,050 00
Total Ohio Archaeologi-			
cal and Historical So-			
ciet y .....	-----	-----	\$76,430 00

## STATE CIVIL SERVICE COMMISSION.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
2 Commissioners.....	\$8,000 00	\$8,000 00	
Secretary .....	3,000 00	3,000 00	
Assistant chief examiner.....	3,000 00	3,000 00	
4 Examiners .....	9,600 00	9,600 00	
Efficiency examiner .....	2,400 00	2,400 00	
Assistant efficiency examiner.....	1,560 00	1,560 00	
Grade I clerk.....	1,800 00	1,800 00	
Grade II clerk .....	1,380 00	1,380 00	
4 Grade II clerks .....	4,560 00	4,560 00	
Grade III clerk.....	900 00	900 00	
Grade IV clerk.....	660 00	660 00	
Publicity clerk.....	720 00	720 00	
Grade I stenographer .....	1,380 00	1,380 00	
3 Grade III stenographers.....	2,700 00	2,700 00	
Total .....	\$41,660 00	\$41,660 00	
A 2. Wages—			
Special examiners, extra			
clerks and stenographers .....	600 00	600 00	
Total personal service...	\$42,260 00	\$42,260 00	\$84,520 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,400 00	\$1,400 00	
C 4-a. Postage .....	900 00	900 00	
Total .....	\$2,300 00	\$2,300 00	
E. Equipment—Replacement—			
E 1. Office .....	\$300 00	\$300 00	
F. Contract and Open Order			
Service—			
F 5. Express, freight and			
drayage .....	10 00	10 00	



## STATE CIVIL SERVICE COMMISSION—Concluded.

General Appropriations.

	First Year.	Second Year.	Biennium.
F 6. Traveling expense .....	2,400 00	2,400 00	
F 7. Communication .....	850 00	850 00	
F 9. General plant .....	200 00	200 00	
Total .....	<u>\$3,460 00</u>	<u>\$3,460 00</u>	
Total maintenance .....	\$6,060 00	\$6,060 00	\$12,120 00
Total state civil service commission .....	\$48,320 00	\$48,320 00	\$96,640 00

## ADJUTANT GENERAL.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Adjutant general.....	\$6,000 00	\$6,000 00	
Assistant adjutant general...	3,500 00	3,500 00	
Assistant quartermaster general .....	3,500 00	3,500 00	
Grade II bookkeeper.....	1,860 00	1,860 00	
Chief clerk.....	1,600 00	1,600 00	
Grade III clerk.....	1,200 00	1,200 00	
Roster clerk.....	1,200 00	1,200 00	
Commission clerk.....	1,200 00	1,200 00	
2 Quartermaster clerks.....	2,400 00	2,400 00	
3 Grade II stenographers.....	3,240 00	3,240 00	
Grade I typist.....	840 00	840 00	
Messenger .....	840 00	840 00	
Total personal service..	<u>\$27,380 00</u>	<u>\$27,380 00</u>	\$54,760 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,000 00	\$1,000 00	
C 4-a. Postage .....	600 00	600 00	
Total .....	<u>\$1,600 00</u>	<u>\$1,600 00</u>	
E. Equipment—Replacement—			
E 1. Office .....	\$150 00	\$150 00	
E 6. Motor vehicle.....	300 00	300 00	
Total .....	<u>\$450 00</u>	<u>\$450 00</u>	
F. Contract and Open Order Service—			
F 6. Traveling expense.....	\$200 00	\$200 00	
F 7. Communication .....	975 00	975 00	
Total .....	<u>\$1,175 00</u>	<u>\$1,175 00</u>	
Total maintenance.....	\$3,225 00	\$3,225 00	6,450 00
Total adjutant general..	\$30,605 00	\$30,605 00	\$61,210 00

## OHIO NATIONAL GUARD.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Superintendent state arsenal..	\$1,800 00	\$1,800 00	
Clerk state arsenal.....	960 00	960 00	
Machinist state arsenal.....	1,200 00	1,200 00	
Storekeeper state arsenal .....	1,200 00	1,200 00	
4 Laborers state arsenal.....	4,000 00	4,000 00	
Total .....	<u>\$9,160 00</u>	<u>\$9,160 00</u>	

## General Appropriations.

## OHIO NATIONAL GUARD—Continued.

	First Year.	Second Year.	Biennium.
A 2. Wages—			
Drill pay .....	\$50,000 00	\$50,000 00	
Camp pay .....	50,000 00	50,000 00	
Organization .....	15,000 00	15,000 00	
Total .....	\$115,000 00	\$115,000 00	
A 3. Unclassified—			
Active duty pay .....	\$10,000 00	\$10,000 00	
Inspections and examination..	5,000 00	5,000 00	
Physical examinations.....	7,000 00	7,000 00	
Total .....	\$22,000 00	\$22,000 00	
Total personal service..	\$146,160 00	\$146,160 00	\$292,320 00
Maintenance—			
C. Supplies and subsistence.....	\$25,000 00	\$25,000 00	
E. Equipment and uniforms.....	5,000 00	5,000 00	
F. Contract and Open Order Service—			
F 5. Express, freight and drayage .....	3,500 00	3,500 00	
F 6. Traveling expense .....	15,000 00	15,000 00	
F 9. General Plant—			
Incidental expenses, military companies .....	45,000 00	45,000 00	
Horse hire .....	4,000 00	4,000 00	
Incidental camp expenses....	15,000 00	15,000 00	
Expenses Camp Perry.....	20,000 00	20,000 00	
Promotion rifle practice....	15,000 00	15,000 00	
Ohio naval militia .....	17,500 00	17,500 00	
Total .....	\$135,000 00	\$135,000 00	
Total maintenance.....	\$165,000 00	\$165,000 00	\$330,000 00
Total Ohio national Guard .....	\$311,160 00	\$311,160 00	\$622,320 00

## ARMORY FUND.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Architect .....	\$3,000 00	\$3,000 00	
Clerk .....	1,200 00	1,200 00	
Total personal service..	\$4,200 00	\$4,200 00	\$8,400 00
Maintenance—			
F. Contract and Open Order Service—			
F 1. Repairs .....	\$7,500 00	\$7,500 00	
F 9. General Plant—			
Maintenance of armories....	20,000 00	20,000 00	
Total .....	\$27,500 00	\$27,500 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$105,000 00	\$105,000 00	
Total maintenance .....	\$132,500 00	\$132,500 00	\$265,000 00
Total maintenance and operation .....	\$136,700 00	\$136,700 00	\$273,400 00

## OHIO NATIONAL GUARD—Concluded.

General Appropriations.

## ARMORY FUND—Concluded.

	First Year.	Second Year.	Biennium.
G. Additions and Betterments—			
G 2. Buildings -----	\$20,485 00	\$97,473 40	
G 3. Miscellaneous—			
G 32. Other Capital Outlay—			
Sidewalks and lawn im-			
provements, armory,			
New Lexington -----	250 00	-----	
Street improvements, arm-			
ory, New Lexington ---	800 00	-----	
Total additions and bet-			
terments -----	\$21,535 00	\$97,473 40	\$119,008 40
Total armory fund-----	\$158,235 00	\$234,173 40	\$392,408 40
Total adjutant general			
and Ohio nat'l guard. ---	-----	-----	\$1,075,938 40

## HEADQUARTERS OHIO G. A. R.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Assistant adjutant general----	\$1,200 00	\$1,200 00	
Clerk -----	750 00	750 00	
Total personal service ..	\$1,950 00	\$1,950 00	\$3,900 00
Maintenance—			
F. Contract and Open Order			
Service—			
F 9. General plant-----	\$600 00	\$600 00	
Total maintenance -----	\$600 00	\$600 00	1,200 00
Total headquarters			
Ohio G. A. R.-----	\$2,550 00	\$2,550 00	\$5,100 00

## COMMISSIONER OF SOLDIERS' CLAIMS.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Commissioner -----	\$2,500 00	\$2,500 00	
Clerk -----	1,500 00	1,500 00	
Total personal service--	\$4,000 00	\$4,000 00	\$8,000 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$50 00	\$50 00	
C 4-a. Postage -----	75 00	75 00	
Total -----	\$125 00	\$125 00	
F. Contract and Open Order			
Service—			
F 7. Communication -----	\$75 00	\$75 00	
Total maintenance -----	\$200 00	\$200 00	\$400 00
Total commissioner of			
soldiers' claims -----	\$4,200 00	\$4,200 00	\$8,400 00

## General Appropriations.

## 37TH DIVISION HISTORY.

	First Year.	Second Year.	Biennium.
Maintenance—			
C. Supplies—			
C 4. Office .....	\$100 00	-----	
F. Contract and Open Order Service—			
F 6. Traveling expense .....	\$1,500 00	-----	
F 9. General plant.....	3,400 00	-----	
Total .....	\$4,900 00	-----	
Total maintenance.....	\$5,000 00	-----	\$5,000 00
Total 37th division history .....	-----	-----	\$5,000 00

## STATE BOARD OF ACCOUNTANCY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 2. Wages—			
Per diem three members of board .....	\$900 00	\$900 00	
Stenographic service .....	500 00	600 00	
Total personal service...	\$1,400 00	\$1,500 00	\$2,900 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$150 00	\$175 00	
C 4-a. Postage .....	125 00	150 00	
Total .....	\$275 00	\$325 00	
F. Contract and Open Order Service—			
F 5. Express, freight and drayage .....	\$10 00	\$10 00	
F 6. Traveling expense .....	175 00	200 00	
F 7. Communication .....	35 00	35 00	
F 9. General Plant—			
Printing .....	950 00	950 00	
Total .....	\$1,170 00	\$1,195 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$120 00	\$120 00	
H 7. Insurance .....	10 00	10 00	
Total .....	\$130 00	\$130 00	
Total maintenance.....	\$1,575 00	\$1,650 00	\$3,225 00
Total maintenance and operation .....	\$2,975 00	\$3,150 00	\$6,125 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....	-----	-----	\$400 00
Total additions and betterments .....	-----	-----	\$400 00
Total state board of accountancy .....	-----	-----	\$6,525 00

## OHIO STATE DENTAL BOARD.

General Appropriations.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Secretary .....	\$1,200 00	\$1,200 00	
Stenographer .....	225 00	225 00	
Total .....	\$1,425 00	\$1,425 00	
A 2. Wages—			
Per diem five members of board .....	\$2,000 00	\$2,000 00	
Total personal service..	\$3,425 00	\$3,425 00	\$6,850 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$100 00	\$100 00	
C 4-a. Postage .....	50 00	50 00	
Total .....	\$150 00	\$150 00	
F. Contract and Open Order Service—			
F 5. Express, freight and drayage .....	\$30 00	\$30 00	
F 6. Traveling expense.....	900 00	900 00	
F 7. Communication .....	20 00	20 00	
Total .....	\$950 00	\$950 00	
H. Fixed Charges and Contributions—			
H 7. Insurance .....	\$15 00	\$15 00	
Total maintenance.....	\$1,115 00	\$1,115 00	\$2,230 00
Total Ohio state dental board .....	\$4,540 00	\$4,540 00	\$9,080 00

## STATE BOARD OF EMBALMING EXAMINERS.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Secretary .....	\$1,200 00	\$1,200 00	
Stenographer .....	600 00	600 00	
Total .....	\$1,800 00	\$1,800 00	
A 2. Wages—			
Per diem two members of board .....	\$500 00	\$500 00	
Total personal service ..	\$2,300 00	\$2,300 00	\$4,600 00
Maintenance—			
C. Supplies—			
C 3. Office .....	\$100 00	\$100 00	
C 4-a. Postage .....	200 00	200 00	
C 11. General Plant—			
Cadavers .....	150 00	150 00	
Total .....	\$450 00	\$450 00	
F. Contract and Open Order Service—			
F 6. Traveling expense.....	\$600 00	\$600 00	
F 7. Communication .....	20 00	20 00	
F 9. General plant.....	75 00	75 00	
Total .....	\$695 00	\$695 00	

## General Appropriations.

## STATE BOARD OF EMBALMING EXAMINERS—Concluded.

H. Fixed Charges and Contributions—	First Year.	Second Year.	Biennium.
H 8. Contributions -----	\$50 00	\$50 00	
Total maintenance-----	\$1,195 00	\$1,195 00	\$2,390 00
Total state board of embalming examiners	\$3,495 00	\$3,495 00	\$6,990 00

## STATE MEDICAL BOARD.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Secretary -----	\$3,000 00	\$3,000 00	
Entrance examiners-----	450 00	450 00	
Inspector -----	1,200 00	1,200 00	
Private secretary-----	1,560 00	1,560 00	
Grade III stenographer-----	900 00	900 00	
Total -----	\$7,110 00	\$7,110 00	
A 2. Wages—			
Per diem members of board and grading papers-----	\$2,500 00	\$2,500 00	
Osteopathic examining committee -----	200 00	200 00	
Special examiners-----	200 00	200 00	
Total -----	\$2,900 00	\$2,900 00	
A 3. Unclassified -----	4,000 00	4,000 00	
Total personal service..	\$14,010 00	\$14,010 00	\$28,020 00
Maintenance—			
C. Supplies—			
C 4. Office -----	\$300 00	\$300 00	
C 4-a. Postage -----	300 00	300 00	
C 6. Cleaning -----	10 00	10 00	
Total -----	\$610 00	\$610 00	
E. Equipment—Replacement—			
E 1. Office -----	\$100 00	\$100 00	
F. Contract and Open Order Service—			
F 1. Repairs -----	\$10 00	\$10 00	
F 5. Express, freight and drayage -----	20 00	20 00	
F 6. Traveling expense-----	2,300 00	2,300 00	
F 7. Communication -----	110 00	110 00	
F 9. General plant-----	160 00	160 00	
Total -----	\$2,600 00	\$2,600 00	
H. Fixed Charges and Contributions—			
H 6. Rent -----	\$90 00	\$90 00	
H 7. Insurance -----	12 50	12 50	
H 8. Contributions -----	25 00	25 00	
Total -----	\$127 50	\$127 50	
Total maintenance ----	\$3,437 50	\$3,437 50	\$6,875 00
Total state medical board -----	\$17,447 50	\$17,447 50	\$34,895 00

## NURSE REGISTRATION.

General Approp-  
riations.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Secretary .....	\$1,200 00	\$1,200 00	
Entrance examiner.....	850 00	850 00	
Chief examiner .....	2,500 00	2,500 00	
Grade III stenographer.....	900 00	900 00	
Total .....	\$5,450 00	\$5,450 00	
A 2. Wages—			
Per diem nurses examination committee .....	\$1,900 00	\$1,900 00	
A 3. Unclassified—			
Engrossing certificates.....	\$135 00	\$135 00	
Reading entrance examination papers .....	75 00	75 00	
Witness fees and mileage.....	35 00	35 00	
Other .....	10 00	10 00	
Total .....	\$255 00	\$255 00	
Total personal service..	\$7,605 00	\$7,605 00	\$15,210 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$175 00	\$175 00	
C 4-a. Postage .....	225 00	225 00	
C 6. Cleaning .....	25 00	25 00	
Total .....	\$425 00	\$425 00	
E. Equipment—Replacement—			
E 1. Office .....	\$25 00	\$25 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$5 00	\$5 00	
F 5. Express, freight and drayage .....	10 00	10 00	
F 6. Traveling expense.....	1,000 00	1,000 00	
F 7. Communication .....	80 00	80 00	
F 9. General plant .....	100 00	100 00	
Total .....	\$1,195 00	\$1,195 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$150 00	\$150 00	
Total maintenance.....	\$1,795 00	\$1,795 00	\$3,590 00
Total nurse registration	\$9,400 00	\$9,400 00	\$18,800 00

## STATE BOARD OF OPTOMETRY.

Personal Service—	First Year.	Second Year.	Biennium.
A 1. Salaries—			
Secretary .....	\$500 00	\$500 00	
Clerk .....	1,200 00	1,200 00	
Total .....	\$1,700 00	\$1,700 00	
A 2. Wages—			
Per diem five members of board .....	\$600 00	\$600 00	
Total personal service..	\$2,300 00	\$2,300 00	\$4,600 00

General Appropriations.

## STATE BOARD OF OPTOMETRY—Concluded.

	First Year.	Second Year.	Biennium.
Maintenance—			
C. Supplies—			
C 4. Office .....	\$75 00	\$75 00	
C 4-a. Postage .....	60 00	60 00	
C 11. General plant.....	5 00	5 00	
Total .....	\$140 00	\$140 00	
F. Contract and Open Order Service—			
F 6. Traveling expense .....	\$250 00	\$250 00	
F 7. Communication .....	50 00	50 00	
Total .....	\$300 00	\$300 00	
H. Fixed Charges and Contributions—			
H 6. Rent .....	\$300 00	\$300 00	
Total maintenance.....	\$740 00	\$740 00	\$1,480 00
Total state optometry board .....	\$3,040 00	\$3,040 00	\$6,080 00

## STATE BOARD OF PHARMACY.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Secretary .....	\$3,000 00	\$3,000 00	
Inspector .....	1,350 00	1,350 00	
Stenographer .....	900 00	900 00	
Entrance examiner .....	250 00	250 00	
Total .....	\$5,500 00	\$5,500 00	
A 2. Wages—			
Per diem five members of board .....	\$1,200 00	\$1,200 00	
Janitor .....	15 00	15 00	
Total .....	\$1,215 00	\$1,215 00	
Total personal service...	\$6,715 00	\$6,715 00	\$13,430 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$400 00	\$400 00	
C 4-a. Postage .....	325 00	325 00	
Total .....	\$725 00	\$725 00	
E. Equipment—Replacement—			
E 1. Office .....	\$50 00	\$50 00	
F. Contract and Open Order Service—			
F 1. Repairs .....	\$10 00	\$10 00	
F 6. Traveling expense .....	2,000 00	2,000 00	
F 7. Communication .....	175 00	175 00	
Total .....	\$2,185 00	\$2,185 00	
H. Fixed Charges and Contributions—			
H 8. Contributions .....	\$25 00	\$25 00	
Total maintenance.....	\$2,985 00	\$2,985 00	\$5,970 00
Total state board of pharmacy .....	\$9,700 00	\$9,700 00	\$19,400 00



## PROHIBITION COMMISSIONER.

General Appropriations.

	First Year.	Second Year.	Biennium.
Personal Service—			
A 1. Salaries—			
Commissioner .....	\$5,000 00	\$5,000 00	
Assistant commissioner .....	3,600 00	3,600 00	
Clerk-stenographer .....	1,500 00	1,500 00	
Grade I stenographer.....	1,380 00	1,380 00	
20 Inspectors.....	46,000 00	46,000 00	
Total .....	\$57,480 00	\$57,480 00	
A 2. Wages—			
Special inspectors.....	\$5,000 00	\$5,000 00	
A 3. Unclassified .....	5,000 00	5,000 00	
Total personal service..	\$67,480 00	\$67,480 00	\$134,960 00
Maintenance—			
C. Supplies—			
C 4. Office .....	\$1,000 00	\$1,000 00	
C 6. Cleaning .....	200 00	200 00	
C 11. General plant.....	200 00	200 00	
Total .....	\$1,400 00	\$1,400 00	
E. Equipment—Replacement—			
E 1. Office .....	\$200 00	\$200 00	
F. Contract and Open Order Service—			
F 6. Traveling expense.....	\$30,000 00	\$30,000 00	
F 7. Communication .....	500 00	500 00	
F 8. Contingencies .....	5,000 00	5,000 00	
F 9. General plant.....	1,000 00	1,000 00	
Total .....	\$36,500 00	\$36,500 00	
Total maintenance.....	\$38,100 00	\$38,100 00	\$76,200 00
Total maintenance and operation .....	\$105,580 00	\$105,580 00	\$211,160 00
G. Additions and Betterments—			
G 3. Miscellaneous—			
G 31. Capital Equipment—			
Office equipment .....			\$2,000 00
Total additions and betterments .....			\$2,000 00
Total prohibition commissioner .....			\$213,160 00

## OHIO CO-OPERATIVE TOPOGRAPHIC SURVEY.

	First Year.	Second Year.	Biennium.
Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
For co-operation with the United States in survey, examination, report, and publication upon the waters of the state for all purposes .....	\$6,000 00	\$6,000 00	\$12,000 00
Total maintenance.....	\$6,000 00	\$6,000 00	\$12,000 00

General Approp-  
riations.

## MISCELLANEOUS BUDGET.

## IRREDUCIBLE DEBT.

Maintenance—	First Year.	Second Year.	Biennium.
H. Fixed Charges and Contributions—			
H 8. Contributions -----	\$325,000 00	\$325,000 00	\$650,000 00
Total maintenance-----	\$325,000 00	\$325,000 00	\$650,000 00

## WEAK SCHOOL DISTRICTS.

Maintenance—			
H. Fixed Charges and Contributions—			
H 8. Contributions -----	\$500,000 00	-----	\$500,000 00
Total maintenance-----	\$500,000 00	-----	\$500,000 00

## STATE BOARD OF UNIFORM LAWS.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
Uses and purposes -----	\$400 00	\$400 00	\$800 00
Total maintenance-----	\$400 00	\$400 00	\$800 00

## OHIO PENITENTIARY COMMISSION.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
Uses and purposes-----	\$500 00	\$500 00	\$1,000 00
Total maintenance-----	\$500 00	\$500 00	\$1,000 00

## HEADQUARTERS SPANISH-AMERICAN WAR VETERANS.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General plant-----	\$1,500 00	\$1,500 00	\$3,000 00
Total maintenance-----	\$1,500 00	\$1,500 00	\$3,000 00

## EXECUTIVE MANSION.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General plant-----	\$15,000 00	\$15,000 00	\$30,000 00
Total maintenance-----	\$15,000 00	\$15,000 00	\$30,000 00

## WORKMEN'S COMPENSATION.

Maintenance—			
H. Fixed Charges and Contributions—			
H 7. Insurance—			
Insurance state employes---	\$67,500 00	\$67,500 00	\$135,000 00
Total maintenance-----	\$67,500 00	\$67,500 00	\$135,000 00

## MISCELLANEOUS BUDGET—Continued.

General Appropriations.

## CONTROLLING BOARD.

Maintenance—	First Year.	Second Year.	Biennium.
F. Contract and Open Order Service—			
F 8. Contingencies -----	\$15,000 00	\$15,000 00	
Highway department -----	5,000 00	5,000 00	
To be allotted to Ohio Soldiers' & Sailors' Orphans' Home for the payment of increases of salaries of regular employes of said home. Such increases to be determined by the board of trustees of said home subject to the approval of the controlling board -----	21,000 00	21,000 00	
To be allotted to the department of public welfare for the payment of increases of salaries of regular employes of state institutions; such increases to be determined by the director of public welfare subject to the approval of the controlling board-----	320,000 00	320,000 00	
Total maintenance-----	\$361,000 00	\$361,000 00	\$722,000 00

## EMERGENCY BOARD.

Maintenance—			
F. Contract and Open Order Service—			
F 8. Contingencies—			
Uses and purposes-----	\$750,000 00	\$250,000 00	
To be used only in case the O. N. G. is called into active service in connection with floods, fires and riots -----	150,000 00	75,000 00	
Total maintenance-----	\$900,000 00	\$325,000 00	\$1,225,000 00

## SCHOOLS FOR DEAF, BLIND AND CRIPPLED CHILDREN.

Maintenance—			
H. Fixed Charges and Contributions—			
H 8. Contributions -----	\$222,000 00	\$240,000 00	\$462,000 00
Total maintenance-----	\$222,000 00	\$240,000 00	\$462,000 00

## PROSECUTION AND TRANSPORTATION OF CONVICTS.

Maintenance—			
F. Contract and Open Order Service—			
F 9. General Plant—			
Fees, costs, mileage and other expenses provided by statute -----	\$170,000 00	\$170,000 00	\$340,000 00
Total maintenance-----	\$170,000 00	\$170,000 00	\$340,000 00

General Appropriations.

## MISCELLANEOUS BUDGET—Concluded.

## HEADQUARTERS AMERICAN LEGION OF OHIO.

Maintenance—	First Year.	Second Year.	Biennium.
H. Fixed Charges and Contributions—			
H 8. Contributions -----	\$25,000 00	-----	\$25,000 00
Total maintenance.....	\$25,000 00	-----	\$25,000 00

## CITY OF COLUMBUS—PAVING.

Maintenance—			
H. Fixed Charges and Contributions—			
H 8. Contributions—			
To pay for state's share of re-paving Third St. between Broad and State streets -----	\$7,500 00	-----	\$7,500 00
Total maintenance.....	\$7,500 00	-----	\$7,500 00

SECTION 2. Unexpended balances of all appropriations, made by the Eighty-third General Assembly, against which contingent liabilities have been lawfully incurred, are to the extent of such liabilities only, and whether the same have been lapsed prior to the taking effect of this act with respect thereto or not, hereby appropriated from the funds from which they were originally appropriated and made available for the purpose of discharging such contingent liabilities and for no other purpose.

Provided, that, should no contingent liabilities have been incurred against the appropriations made in House Bill 536, sections 3 and 10, Eighty-third General Assembly, and appropriations supplemental thereto, for the use of Ohio State University—

"G. Additions and Betterments" under the item "G 2. Buildings"—	
Hog building -----	\$10,000 00
Sheep building-----	15,000 00
Artillery horse stable-----	10,000 00
Women's building-----	90,000 00
Women's building-----	150,000 00
Additions to chemistry building-----	30,000 00
Additions to chemistry building-----	85,000 00

and for the use of the Ohio Board of Administration.

"G. Additions and Betterments" under the items "G 2. Buildings, G-31 Capital Equipment and G-32 Other Capital Outlay—"

## ATHENS STATE HOSPITAL.

G 2. Tuberculosis cottage -----	\$20,000 00
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## MASSILLON STATE HOSPITAL.

G 2. Tuberculosis cottage -----	\$20,000 00
G 31. Two 250 H. P. boilers and equipment-----	43,000 00

## INSTITUTION FOR FEEBLE-MINDED.

G 2. 5 Cottages 600 patients-----	\$220,000 00
Cold storage and storeroom—Orient-----	20,000 00
G 32. Dredging and dyke-----	5,000 00

## OHIO HOSPITAL FOR EPILEPTICS.

General Approp-  
riations.

G 2. 2 Cottages -----	\$88,000 00
6 Porches -----	12,000 00
G 32. Tunnel extension -----	10,000 00

## OHIO STATE SANATORIUM.

G 2. Tuberculosis cottage -----	\$10,000 00
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## BOYS' INDUSTRIAL SCHOOL.

G 2. Wing for contagion hospital -----	\$25,000 00
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## OHIO STATE REFORMATORY.

G 31. Two 250 H. P. boilers and equipment -----	\$20,000 00
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## NEW PRISON FARM.

G 2. Construction of new penitentiary -----	\$200,000 00
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and provided, that should no contingent liabilities have been incurred against the appropriation made in House Bill 584, Section 3, Eighty-second General Assembly, for the use of the Ohio Board of Administration—"G. Additions and Betterments" under the items "G. 2. Structures and Parts"

## INSTITUTION FOR FEEBLE-MINDED.

Five cottages -----	\$142,000 00
Six cottages -----	108,000 00

and provided further, that should no contingent liabilities have been incurred against the appropriation made in House Joint Resolution No. 91, Eighty-third General Assembly for the codification of Ohio School Laws \$1,000.00 then in that event, there are hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund not otherwise appropriated, the following amounts for the following purposes:

## OHIO STATE UNIVERSITY.

## G. Additions and Betterments—

G 2. Buildings—	
Women's building -----	\$240,000 00
Chemistry building -----	115,000 00
Artillery horse stable -----	10,000 00
Sheep building -----	15,000 00
Swine building -----	10,000 00

Total additions and betterments -----	\$390,000 00
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General Approp-  
riations.

## DEPARTMENT OF PUBLIC WELFARE.

## ATHENS STATE HOSPITAL.

## G. Additions and Betterments—

G 2. Buildings—	
Tuberculosis cottage-----	\$12,864 61

## OHIO HOSPITAL FOR EPILEPTICS.

G 2. Buildings—	
One cottage-----	\$87,914 66
Porches-----	11,830 67
G 32. Other Capital Outlay—	
Tunnel extension-----	8,167 92

## INSTITUTION FOR FEEBLE-MINDED.

G 2. Buildings—	
Five cottages-----	\$69,949 27
Six cottages-----	63,866 07
Cottages-----	219,954 97
Cold storage and store room—Orient-----	19,747 29
G 32. Other Capital Outlay—	
Dredging and dyke-----	2,212 20

## BOYS' INDUSTRIAL SCHOOL.

G 2. Buildings—	
Wing for contagion hospital-----	\$7,676 02

## MASSILLON STATE HOSPITAL.

G 2. Buildings—	
Tuberculosis cottage-----	\$2,358 23
G 31. Capital Equipment—	
Two 250 horse power boilers and equipment-----	11,737 81

## OHIO STATE REFORMATORY.

G 31. Capital Equipment—	
Two 250 H. P. boilers and equipment-----	\$2,965 69

## OHIO STATE SANATORIUM.

G 2. Buildings—	
Tuberculosis cottage-----	\$9,958 18

## NEW PRISON FARM.

G 2. Buildings—	
Construction-----	\$120,597 05

ALLOTMENT OF BOARD OF ADMINISTRATION FROM  
PENITENTIARY COMMISSION.

G 2. Buildings-----	\$29,708 96
G 32. Other Capital Outlay—	
Drainage, roads, railroad spur, etc-----	14,432 52
Total additions and betterments-----	\$695,942 12

## CODIFICATION OF OHIO SCHOOL LAWS.

## Maintenance—

## F. Contract and Open Order Service—

F 9. General plant-----	\$1,000 00
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Total maintenance-----	\$1,000 00
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SECTION 3. The sums set forth in section 1 of this act, opposite the several classifications of detailed purposes, shall not be expended for any other purposes except as herein provided.

Authority to expend the monies appropriated for "Total Personal Service" and "Total Maintenance" in section 1 of this act otherwise than in accordance with such classifications of detailed purposes but within the purpose for which appropriation is made, may be granted to any department, institution, board or commission for which appropriations are made in said section, by a board to be known as the "Controlling Board", consisting of the governor, or a designated officer or employe, if appointed by the governor for such purpose, the chairman of the finance committee of the house of representatives and of the senate, respectively, the attorney general and the auditor of state. The present chairmen of said finance committees shall continue to serve as members of said controlling board notwithstanding the expiration of their respective terms of office as members of the general assembly, until the senate and the house of representatives of the succeeding general assembly shall have organized and the chairmen of the respective finance committees thereof have been selected. The governor, or a designated officer or employe, shall be president, and the director of finance shall be secretary of the board; but the director of finance may designate an employe in his department to act as such secretary.

Authority of  
controlling  
board: record.

Application for such authority shall be made to the president of the controlling board in writing, and the consent of not less than four members of the controlling board shall be required for the granting of such authority. Said board may authorize the expenditure of monies appropriated in said section 1 of this act within the purpose for which the appropriation is made, whether included in the detailed purpose for which such appropriations are distributed in said section or not.

The secretary shall make a complete record of authority so granted, and shall certify a copy of the record of each action of the board to the auditor of state. All meetings of the board shall be open to the public. The necessary expenses of the chairmen of the finance committees of the house of representatives and the senate, when engaged in their duties as members of said board, shall be paid from any funds appropriated for the expenses of legislative committees, upon itemized vouchers approved by the president and secretary of the board.

In case of any variance between the several specified sums in the column designated "Biennium" and the aggregate amount of said sums in such column, the respective specified sums shall be deemed to have been appropriated; and in case of any variance between the amount of any appropriation and the aggregate amount of the detailed allotments thereof, the controlling board shall, with the advice and assistance of the department, institution or board affected thereby, adjust the detailed allotments so as to correspond in the aggregate with the proper appropriation.

Changes of departments or divisions.

**SECTION 4.** Appropriations made to a department of the state administration by section 1 of this act are hereby expressly made subject to the exercise of the authority of the director of a department, or of such director and the governor as provided by section 154-8 of the General Code. Whenever the exercise of any authority granted by such section in any wise changes the divisions within such departments for which appropriations are made by section 1 of this act, or transfers functions or personnel from one division to another within the same department or to a new division created within a department, the authority so acting shall certify such action to the director of finance and the auditor of state, and thereupon the balances then remaining to the credit of appropriations and detailed allotments thereof made by section 1 of this act, in excess of the amount of contingent liabilities theretofore incurred, which shall be considered the net balances thereof for the purposes of this section, or such proportion or part of said net balances as shall be so certified as necessary to conform to such action, shall be transferred without change to similar appropriation accounts and detailed allotments thereof under authority of the same department or to new appropriation accounts of like nature and detailed allotments thereof, as the case may require. The action of the "Controlling Board" provided for by section 3 of this act shall not be necessary in such cases.

"Rotary Fund" defined.

**SECTION 5.** The term "Rotary Fund" as used in this act means a fund set aside to enable a department or institution to carry on a function or an activity, self-sustaining in its nature, the receipts from which are to be used for the function or activity for which the rotary fund is established.

Money obtained from the function or activity for which a rotary fund is provided shall be turned into the treasury, and such monies so turned into the treasury between July 1, 1921, and June 30, 1923, both inclusive, are hereby appropriated for the purpose for which such rotary fund is herein established.

All monies to the credit of existing rotary funds are hereby appropriated and all existing rotary funds are hereby continued in effect for the full period named in this section.

Invoice for labor or material must show contract let by competitive bidding.

**SECTION 6.** If the order and invoice drawn against any appropriation herein is made for labor and material furnished or for commodities purchased, it shall show that the same was furnished or purchased pursuant to competitive bidding and that the lowest bidder was awarded the contract, unless the controlling board shall have authorized the furnishing of such labor or material or the purchase of such commodity without competitive bidding.

Construction by force account on consent of controlling board.

Whenever in the judgment of a department, board, commission or institution affected it seems desirable and in the interests of economy to construct or repair any building



or make any other improvement herein provided by force account and the controlling board consents to such method and certifies such consent in writing to the auditor of state and the director of finance in duplicate, sections 2314 to 2330 inclusive, of the General Code, shall be deemed not to apply to that part of such work to be done by force account. It shall be the duty of the auditor of state or the director of finance to see that these provisions are complied with.

SECTION 7. A transfer, in whole or in part, of the functions of any existing department, board or commission for the uses and purposes of which appropriations are made in section 1 of this act to any other department, board or commission by a law which takes effect after the date on which this act shall become effective, shall not affect the availability of any such appropriations except as herein-after provided. On and after the date on which any such law shall become effective such appropriations shall be available for the proper uses and purposes of the department, board or commission to which such functions are thereby transferred, and such department, board or commission shall on and after such date have the exclusive power and authority to incur liabilities against such appropriations and to draw orders and invoices on account thereof as provided in section 3 hereof, to the extent only, however, of the balances then remaining to the credit of such appropriations in excess of the amount of contingent liabilities theretofore incurred, which shall be considered the net balances thereof for the purposes of this section. In the event that any department, board or commission for the uses and purposes of which an appropriation is made in section 1 of this act, is abolished by any such law, and any function of such department, board or commission so abolished is not transferred to any other department, board or commission by the provisions of such law, the net balances of appropriations available for the uses and purposes of such abolished department, board or commission in the discharge of such function shall, on the date on which such law shall become effective, lapse into the fund from which they were appropriated.

If any appropriation account, whether for personal service or otherwise, created by section 1 of this act for the uses and purposes of a department, board or commission which is abolished, or any function, or functions, of which are transferred to any other department, board or commission by the provisions of any law so taking effect as aforesaid is primarily available in the discharge of all or several of the functions of such first department, board or commission, the controlling board, immediately upon the taking effect of such law, at a meeting open to the public, and after consultation with each of the departments, boards, or commissions to be affected by its action, shall ascertain and determine the proportion of the net balance of any

Transfer does not affect the availability of appropriations.

Availability of appropriation for uses of department, board, etc., abolished.

such appropriation account which will be needed in the discharge of each of the functions, or group of functions so transferred to a single department, board or commission, or the proportion thereof which will no longer be needed by reason of the abolition of any such functions. The board shall determine the amount of a net balance of such appropriation account attributable to each of the functions for which the original appropriation was made, and the auditor of state shall divide the appropriation accounts on the books of his office in accordance therewith, and in the event of the abolition of a function shall lapse the appropriation or the net balance of such appropriation account determined by the board to be attributable to such abolished function, into the fund from which the original appropriation was taken.

When salaries not fixed, board, department, etc., must file apportionment 10 days before act becomes effective.

SECTION 8. Each department, board or commission for which an appropriation is made in this act and for the salaries of a specified number of employes where salaries are not fixed by law, shall, not less than ten days prior to the date on which such appropriation becomes effective apportion such appropriation account and file the same with the president of the controlling board. Said board may change such apportionment and shall certify such apportionment with any modifications it may make to the auditor of state, with the approval of the board endorsed thereon.

How appropriations for salaries expended.

SECTION 9. So much of the appropriation herein made for personal service as pertains to the compensation of employes in the following groups and grades of the classified civil service of the state, save and except employes in such groups and grades in the state universities and universities receiving state aid, normal schools, institutions under the control of the department of public welfare, the Ohio agricultural experiment station and the Ohio soldiers' and sailors' orphans' home, may be expended only in accordance with the classification and rules of the state civil service commission and at the following rates of annual salaries for the respective groups and grades:

#### ENGINEERING GROUP.

Grade I	Rates	C \$5,000 00 and up.		
Grade II	Rates	C \$3,600 00	B \$3,900 00	A \$4,200 00
Grade III	Rates	C \$2,800 00	B \$3,000 00	A \$3,200 00
Grade IV	Rates	C \$2,000 00	B \$2,200 00	A \$2,400 00
Grade V	Rates	C \$1,200 00	B \$1,400 00	A \$1,600 00

## CLERICAL SERVICE.

## \* BOOKKEEPER GROUP.

Grade I	Rates	C		
		\$2,100 00 and up.		
Grade II	Rates	C	B	A
		\$1,740 00	\$1,860 00	\$1,980 00
Grade III	Rates	C	B	A
		\$1,140 00	\$1,260 00	\$1,380 00
Grade IV	Rates	C	B	A
		\$840 00	\$900 00	\$960 00

## CLERK GROUP.

Grade I	Rates	D	C	B	A
		\$1,560 00	\$1,680 00	\$1,800 00	\$1,980 00
Grade II	Rates		C	B	A
			\$1,140 00	\$1,260 00	\$1,380 00
Grade III	Rates			B	A
				\$840 00	\$900 00
Grade IV	Rates		C	B	A
			\$600 00	\$660 00	\$720 00

## STENOGRAPHER GROUP.

Grade I	Rates	C	B	A
		\$1,260 00	\$1,320 00	\$1,380 00
Grade II	Rates	C	B	A
		\$1,080 00	\$1,140 00	\$1,200 00
Grade III	Rates		B	A
			\$840 00	\$900 00

## TELEPHONE OPERATOR GROUP.

Grade I	Rates	C	B	A
		\$660 00	\$720 00	\$780 00

## TYPIST GROUP.

Grade I	Rates	C	B	A
		\$960 00	\$1,020 00	\$1,080 00
Grade II	Rates		B	A
			\$840 00	\$900 00

provided, however that rates and compensation of persons now employed in the foregoing groups and grades of the classified civil service of the state, which on the date of the passage of this act may exceed the uniform rate fixed herein for the service, group and grade of their positions as so classified, shall not be affected by the provisions of this section; but such rates of compensation as fixed on said date for such positions shall be the rates at which the appropriations herein made may be expended for the compensation of such persons while holding such positions.

In case any personal service appropriation made in section 1 of this act is insufficient in amount to enable the department, institution, board or commission, for which the same is made to comply with the provisions of this section in the payment of a compensation of its employees, the controlling board may from the appropriation made to such controlling board, allot to such department, institution, board or commission a sum sufficient to enable such

Allotment to department, etc., when appropriation for personal service insufficient; procedure.

department, institution, board or commission to comply with this section. Such allotment shall be made on application and all the provisions of section 3 of this act, so far as consistent herewith, shall apply. A written order signed by the president and secretary of the controlling board, and specifying the amount of such allotment, shall be issued to the auditor of state, who shall thereupon deduct the amount of such allotment from the appropriation made to such controlling board, and add the same to the amount available to such department, institution, board or commission for personal service. A copy of such written order shall be certified to the director of finance.

Sale of products  
of farms.

SECTION 10. There shall be charged to each farm operated by the department of public welfare all the expense incurred in such operation, and any and all commodities produced by such farm and furnished to any institution under the control of said department, including the institution under which the farm is operated, shall be paid for by such institution at the prevailing market price, on voucher against the proper appropriation; and any warrant issued on account of such vouchers shall be paid into the state treasury as a receipt from the farm on which the commodity so paid for, was produced, to the credit of the department of public welfare as a supplement to either, as the case may be, the Maintenance C-1 Food or C-2 Forage appropriations hereinbefore made to said department.

Profits shown in  
annual report.

The profits accruing from the operation of any farm, for the year covered, shall be shown in the annual report of the department of public welfare as a proper reduction of the expense of the institution under which the farm is operated, or in case such farm is operated at a loss, such loss shall be shown as an addition to the expense of such institution.

SECTION 11. Monies appropriated herein to the various normal schools for extension teaching shall be expended only upon the approval of the director of education; such approval to consist in the approval of the course of study and the location of each extension center.

SECTION 12. This act shall not take effect until July 1, 1921.

#### SUMMARY.

The Judiciary .....	\$1,269,800 00
Supreme Court and Law Library .....	61,985 00
Clerk of the Supreme Court .....	22,370 00
Supreme Court Reporter .....	18,025 00
Senate .....	133,930 00
House of Representatives .....	348,370 00
Executive Department .....	72,770 00
Secretary of State .....	124,020 00
Automobile Department .....	413,510 00
Attorney General .....	197,910 00
Auditor of State .....	159,280 00

## SUMMARY—Continued.

Bureau of Inspection and Supervision....	36,980 00
Treasurer of State .....	86,846 25
Department of Finance—Administration..	474,990 00
State Bindery .....	153,856 00
Tax Commission .....	119,380 00
Department of Commerce—Administration	20,730 00
Division of Banks .....	256,660 00
Building and Loans.....	117,010 00
Fire Marshal .....	238,420 00
Insurance .....	156,000 00
Oil Inspector .....	24,000 00
Securities Department .....	106,560 00
Public Utilities .....	189,930 00
Physical Valuation of Public Utilities....	134,370 00
Department of Highways and Public Works—Administration .....	232,360 00
Division of Highways .....	16,543,460 00
Division of State House and Grounds.....	128,950 00
Division—Wyandotte Building .....	48,870 00
Department of Agriculture.....	824,440 00
Division—Dairy and Food.....	132,630 00
Division—Fish and Game.....	442,660 00
Division—Serum .....	190,440 00
Department of Health .....	724,330 00
Division of Vital Statistics.....	68,890 00
Department of Industrial Relations—Ad- ministration .....	1,594,750 00
Department of Public Welfare—Adminis- tration .....	12,583,284 00
Commission for the Blind .....	133,800 00
Division of State Charities .....	259,165 00
Division of Public Instruction .....	811,130 00
Board of Education .....	535,450 00
Division—Film Censorship .....	47,690 00
State Library .....	86,330 00
Geological Survey of Ohio .....	19,245 00
Bowling Green State Normal School.....	462,950 00
Kent State Normal School .....	283,410 00
Miami University .....	600,469 00
Ohio University .....	661,075 00
Ohio State University .....	3,925,448 00
Agricultural Extension—Ohio State Uni- versity .....	382,202 66
Combined Normal and Industrial Depart- ment Wilberforce University .....	252,966 00
Ohio Soldiers' & Sailors' Orphans' Home..	543,405 00
Americanization .....	43,200 00
Agricultural Experiment Station .....	510,230 00
Archaeological and Historical Society....	76,430 00
State Civil Service Commission.....	96,640 00
Adjutant General .....	1,075,938 40
Headquarters Ohio G. A. R.....	5,100 00

## SUMMARY—Concluded.

Commissioner of Soldiers' Claims .....	8,400 00
37th Division History .....	5,000 00
State Board of Accountancy .....	6,525 00
Ohio State Dental Board.....	9,080 00
State Board of Embalming Examiners....	6,990 00
State Medical Board.....	34,895 00
Nurse Registration .....	18,800 00
State Board of Optometry .....	6,080 00
State Board of Pharmacy.....	19,400 00
Prohibition Commissioner .....	213,160 00
Ohio Co-operative Topographic Survey....	12,000 00
Irreducible Debt .....	650,000 00
Weak School Districts.....	500,000 00
State Board of Uniform Laws.....	800 00
Ohio Penitentiary Commission.....	1,000 00
Headquarters Spanish American War Veterans .....	3,000 00
Executive Mansion .....	30,000 00
Workmen's Compensation .....	135,000 00
Controlling Board .....	722,000 00
Emergency Board .....	1,225,000 00
Schools for Deaf, Blind and Crippled Children .....	462,000 00
Prosecution and Transportation of Convicts	340,000 00
Headquarters American Legion of Ohio....	25,000 00
City of Columbus—Paving .....	7,500 00
Total .....	\$53,707,270 31

## REAPPROPRIATIONS

Department of Public Welfare—	
Buildings and Equipment under construction .....	\$695,942 12
Codification of Ohio School Laws.....	1,000 00
Ohio State University—	
Buildings .....	390,000 00
Total .....	\$1,086,942 12

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.  
Approved June 2, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 2nd day of June, A. D. 1921.

199 G.

[House Bill No. 391.]

Sundry Approp-  
riations.

## AN ACT

To make sundry appropriations.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The following sums for the purposes herein specified are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations herein enumerated for the payment of which specific funds in the state treasury are provided by law are hereby made from such specific funds. Any sum necessary to satisfy all other appropriations herein made is hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund.

SECTION 2. The monies herein appropriated shall be paid upon the approval of a special auditing committee authorized by section 270-5 of the General Code, consisting of the governor, or a designated officer or employe, the attorney general, the auditor of state, the chairman of the finance committee of the senate and the chairman of the finance committee of the house of representatives. Such auditing committee is hereby authorized and directed to make careful inquiry as to the validity of each and every claim herein made and pay only so much thereof as may be found to be correct and just.

SECTION 3. Appropriations subject to the conditions and limitations provided in sections 1 and 2 are hereby made as follows:

## CLAIMS ARISING OUT OF CONTRACT.

Koffroth, Casey & Mansburger, in full settlement of losses sustained due to delay on the part of the Ohio Board of Administration in furnishing materials for building Section K, I. C. H. No. 6, Greene County .....	\$7,000 00
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## DAMAGE TO PROPERTY

Thomas J. Andrews, Georgetown, Ohio, in full settlement for damages resulting from destruction, by order of State Veterinarian, of a mule infected with glanders .....	\$100 00
Charles H. Deis, Zoarville, Ohio, in full settlement for damage to crop from break in canal and for re-filling ditch.....	274 75
Matthew Byrd, Springfield, Ohio, in full settlement of damages to automobile resulting from collision with State Highway truck .....	100 00

Sundry Appropriations.

## DAMAGE TO PROPERTY—Concluded.

John Brixner and Mrs. Margaret Holweger, Franklin, O., in full payment for damages to crop resulting from overflow of M. & E. canal.....	900 00
Elmer Glass, Jackson County, O., in full settlement for damages to Ford car by State truck running into owner's garage.	112 66
Frank S. Graves, Columbus, O., in full settlement of damages to automobile resulting from collision with State Highway steam roller left unlighted in roadway .....	17 44
Middle West Supply Co., Dayton, O., in full settlement of damages to Ford car resulting from collision with State Highway truck .....	150 00
A. A. Phillips, Conesville, O., in full settlement for damages resulting from overflow of Ohio canal .....	178 50
J. L. Robinson, Conesville, O., in full settlement for damages resulting from overflow of Ohio canal .....	178 50
Floyd H. Tift, Cuyahoga Falls, O., in full payment of damages to Ford sedan due to running into uncovered and unlighted manhole .....	47 95
H. Edward Wheland, Tuscarawas, O., payment in full for damages to land resulting from overflow of canal .....	204 00
A. J. Lowery, Montpelier, O., in full settlement for cow killed by verbal direction of State Veterinarian in 1919.....	75 00
James H. Davis, Shawnee, Ohio, in full settlement for damages to automobile resulting from collision account of unlighted obstruction in roadway due to negligence of State Highway Department.....	40 00
William H Dennis, New Lexington, Ohio, in full settlement for damages to automobile resulting from collision account unlighted obstruction in roadway due to negligence of State Highway Department.....	225 00
Nick L. Alteri, Akron, Ohio, in full settlement for damages to property consisting of land washed away due to break in canal and the continual overflowing of same..	350 00
(1. W. Lippincott, Cleveland, Ohio, in full settlement for damages to automobile due to running into unguarded hole in highway .....	1,000 00



## PAYMENT FOR SERVICES

Sundry Appropriations.

Phillip Carey Manufacturing Co., Cincinnati, Ohio, in full payment for repair work done on canal banks September 9th, 1910, at Woodsdale .....	\$8,947 67
Dr. V. A. Dodd, Columbus, Ohio, in full settlement for professional services rendered Geo. C. Lewis, Company B, Ohio Signal Corps .....	42 00
Dr. O. M. Kramer, Columbus, Ohio, in full payment for professional services at Girls' Industrial School from July 15, 1920, to October 22, 1920, inclusive.....	633 33
Ed. W. Hughes for extra services.....	420 00
Dr. Reginald B. Leister, Tiffin, O., in full settlement for professional services rendered Albert H. Finn, Co. I, 8th Infantry, O. N. G., April 18th to June 1st, 1917..	48 00
The Ohio Electric Railway Co., Springfield, O., in full payment for reconstruction of aqueduct on Ohio canal two miles southwest of Hebron .....	1,001 11
J. W. Tipton, V. S., Caldwell, O., in full settlement for professional services rendered upon request of the Secretary of Agriculture, to cattle afflicted with hoof and mouth disease, November 17, 1914.....	15 00
Dr. J. D. Beer, Wooster, Ohio, in full settlement for medical services rendered the Ohio National Guard .....	35 30

## PERSONAL DAMAGE

Mrs. J. P. Browning, Columbus, Ohio, in full settlement for injuries received by stepping into sewer drop at State Fair Ground, September 1, 1920.....	\$150 00
Thomas Franklin Clark, Toledo, O., in full payment for loss of left hand while assisting in operating a mangle machine at the Ohio Soldiers' and Sailors' Orphans' Home November 11, 1907.....	1,000 00
Mrs. G. W. Lippincott, Cleveland, O., in full settlement for injuries received in automobile accident due to unguarded hole in highway .....	4,000 00

## PROPERTY TAKEN

C. H. Brownell & Sons, Washington C. H., O., in full settlement for eggs and chickens taken from Penna. R. R. car 108563, while on siding in Columbus during the flood of March, 1913.....	\$98 89
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Sundry Appropriations.

## CLAIMS ARISING OUT OF CONTRACT

H. C. Foster & Son, Dayton, Ohio, payment in full for claims against the State for work done on Section Q of the New Lexington-Athens road, I. C. H. No. 158....	\$5,679 60
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## REFUNDERS

B. T. Babbitt Co., New York, tax refunder..	\$268 05
Cleveland & Mahoning Valley Ry. Co., Cleveland, O., tax refunder.....	9,777 60
Diem & Wing Paper Co., Cincinnati, O., tax refunder .....	225 00
North Eastern Oil & Gas Co., Cleveland, O., tax refunder .....	825 00
International Agricultural Corporation, New York City, tax refunder .....	1,034 04
The General Baking Co., New York City, tax refunder .....	2,723 05
Metropolitan Life Insurance Co., New York, tax refunder .....	11,453 71
The Mechanics Building & Loan Association of Lima, O., tax refunder .....	90 00
New York Life Insurance Co., New York City, tax refunder .....	13,958 81
Cincinnati Realty Co., Cincinnati, O., tax refunder .....	262 50
Frank L. Root, Athens County, O., refund of payment for deed to forty acres of school land .....	12 50
Standard Upholstering Co., Mansfield, O., tax refunder .....	44 40
Standard Sanitary Manufacturing Co., Pittsburgh, Pa., tax refunder .....	450 24
Southern Surety Co., Des Moines, Iowa, tax refunder .....	2,264 92
Schulze Baking Co., Chicago, Ill., tax refunder .....	256 23
Wellston Iron Furnace Co., Wellston, O., tax refunder .....	10 00
Dr. F. E. Nolan, London, O., refund of duplicate payment of commission fee .....	15 00
Abielle Fire Insurance Co., Paris, France, tax refunder .....	49 36
Allemania Fire Insurance Co., Pittsburgh, Pa., tax refunder .....	141 60
American Central Insurance Co., St. Louis, Mo., tax refunder .....	113 36
American Insurance Co., Newark, N. J., tax refunder .....	97 48
American Druggists' Fire Insurance Co., Cincinnati, O., tax refunder .....	1 14

## REFUNDERS—Continued.

Sundry Approp-  
riations.

Anglo-American Reinsurance Co., Chicago, Ill., tax refunder .....	54 11
Buffalo German Insurance Co., Buffalo, N. Y., tax refunder .....	38 58
Camden Fire Insurance Association of New Jersey, tax refunder .....	169 37
Cleveland National Fire Insurance Co., Cleveland, tax refunder .....	21 76
Columbia Insurance Co., Dayton, O., tax refunder .....	9 95
Columbian National Insurance Co., Detroit, Mich., tax refunder .....	76 37
Commerce Insurance Co., Albany, N. Y., tax refunder .....	30 69
Continental Insurance Co., New York, tax refunder .....	185 99
Concordia Fire Insurance Co., Milwaukee, Wis., tax refunder .....	80 10
County Fire Insurance Co., Philadelphia, Pa., tax refunder .....	25 86
Dayton Mutual Insurance Co., Dayton, O., tax refunder .....	15 74
Detroit Fire & Marine Insurance Co., Detroit, Mich., tax refunder .....	27 90
Dubuque Fire and Marine Insurance Co., Dubuque, Iowa, tax refunder .....	33 94
Eureka Fire & Marine Insurance Co., Cincinnati, O., tax refunder .....	69 93
Farmers' Fire Insurance Co., York, Pa., tax refunder .....	25 72
Federal Union Insurance Co., Chicago, Ill., tax refunder .....	7 37
Fidelity Phenix Fire Insurance Co., New York, tax refunder .....	157 59
Fire Association of Philadelphia, Pa., tax refunder .....	154 38
First National Fire Insurance Co., Washington, D. C., tax refunder .....	66 81
Franklin Fire Insurance Co., Philadelphia, Pa., tax refunder .....	44 34
German-American Insurance Co., of Pennsylvania, Pittsburgh, Pa., tax refunder....	30 52
German-American Fire Insurance Co., Baltimore, Md. ....	10 68
German Fire Insurance Co., Pittsburgh, Pa., tax refunder .....	72 23
German Fire Insurance Co., Wheeling, W. Va., tax refunder .....	68 52
German Mutual Insurance Co., Cincinnati, O., tax refunder .....	3 11
Girard Fire & Marine Insurance Co., Philadelphia, Pa., tax refunder .....	32 34

Sundry Approp-  
riations.

## REFUNDERS—Continued.

Grain Dealers' National Mutual Fire Insurance Co., Indianapolis, Ind., tax refunder	69 55
The Granite State Fire Insurance Co., Portsmouth, N. H., tax refunder	39 29
Home Insurance, New York, tax refunder	505 50
Humboldt Fire Insurance Co., Pittsburgh, Pa., tax refunder	136 18
Indiana Lumbermen's Mutual Insurance Co., Indianapolis, Ind., tax refunder	66 93
Law Union & Rock Insurance Co., London, England, tax refunder	25 45
Liverpool & London & Globe Insurance Co., Liverpool, England, tax refunder	319 13
London Assurance Co., London, England, tax refunder	51 85
Lumber Mutual Fire Insurance Co., Boston, Mass., tax refunder	102 53
Lumbermen's Mutual Insurance Co., Mansfield, O., tax refunder	51 25
Mansfield Mutual Fire Insurance Co., Mansfield, O., tax refunder	23 68
Merchants' and Manufacturers' Mutual Insurance Co., Mansfield, O., tax refunder	69 46
Michigan Fire & Marine Insurance Co., Detroit, Mich., tax refunder	77 63
Michigan Millers' Mutual Fire Insurance Co., Lansing, Mich., tax refunder	190 80
Mill Owners' Mutual Fire Insurance Co., Des Moines, Iowa, tax refunder	15 73
Minneapolis Fire & Marine Insurance Co., Minneapolis, Minn., tax refunder	20 22
Minster Mutual Fire Insurance Co., Minster, O., tax refunder	24 24
Montgomery County Mutual Insurance Co., Dayton, O., tax refunder	6 33
National Ben Franklin Fire Insurance Co., Pittsburgh, Pa., tax refunder	177 12
Nationale Fire Insurance Co., Paris, France, tax refunder	88 05
National Lumber Insurance Co., Buffalo, N. Y., tax refunder	49 39
National Lumber Insurance Co., Buffalo, N. Y., 2½% tax refunder	246 95
New Hampshire Fire Insurance Co., Manchester, N. H., tax refunder	63 41
New Jersey Fire Insurance Co., Newark, N. J., tax refunder	38 68
Northern Insurance Co., New York, tax refunder	30 35
Niagara Fire Insurance Co., New York, tax refunder	109 76

## REFUNDERS—Continued.

Sundry Approp-  
riations.

Ohio Farmers' Insurance Co., LeRoy, O., tax refunder .....	348 79
Ohio Millers' Mutual Fire Insurance Co., Can- ton, Ohio, tax refunder .....	80 86
Ohio Mutual Insurance Co., Salem, O., tax refunder .....	29 74
Ohio Retail Grocers' Mutual Fire Insurance Co., Springfield, O., tax refunder.....	16 52
Penna. Fire Insurance Co., Philadelphia, Pa., tax refunder .....	117 80
People's National Fire Insurance Co., Phila- delphia, Pa., tax refunder .....	72 48
People's National Fire Insurance Co., Wil- mington, Del., tax refunder.....	21 11
Phenix Fire Insurance Co., Paris, France....	82 29
Phoenix Assurance Co., Ltd., London, Eng- land, tax refunder .....	189 03
Pittsburgh Fire Insurance Co., Pittsburgh, Pa., tax refunder .....	20 07
Queen Insurance Company of America, New York, tax refunder .....	183 90
Reliance Insurance Co., Philadelphia, Pa., tax refunder .....	47 74
Rhode Island Insurance Co., Providence, R. I., tax refunder .....	74 32
Richmond Insurance Co., New York, tax re- funder .....	42 76
Royal Insurance Company of England, tax refunder .....	390 06
St. Paul Fire & Marine Insurance Co., of Minnesota, tax refunder .....	67 28
Security Insurance Co., Cincinnati, O., tax refunder .....	88 31
Springfield Fire & Marine Insurance Co., Springfield, Mass., tax refunder.....	206 21
Standard Fire Insurance Co., Trenton, N. J., tax refunder .....	22 73
Standard Fire Insurance Co., of Connecticut, tax refunder .....	24 23
Stuyvesant Fire Insurance Co., New York, tax refunder .....	49 90
Sun Mutual Insurance Co., Cincinnati, O., tax refunder .....	2 55
Svea Fire & Life Insurance Co., of Sweden, tax refunder .....	51 95
Swiss Reinsurance Co., Zurich, Switzerland, tax refunder .....	162 12
Teutonia Fire Insurance Co., Dayton, O., tax refunder .....	29 81
Teutonia Fire Insurance Co., Pittsburgh, Pa., tax refunder .....	130 13

Sundry Appropriations.

## REFUNDERS—Concluded.

Union Fire Insurance Co., Paris, France, tax refunder .....	52 91
United Firemen's Insurance Co., of Penna., tax refunder .....	9 70
Western Insurance Co., Pittsburgh, Pa., tax refunder .....	31 46
Worcester Manufacturers' Mutual Insurance Co., Worcester, Mass., tax refunder....	45 43
Midland Bank, Cleveland, O., tax refunder..	5,000 00
Western Ohio Railway Co., tax refunder....	7,951 50
George Clark, clerk Ross township, Butler county, O., refund over payment rent of school land .....	42 50
Larabee Flour Mills Corporation, Kansas City, Kansas, refund overpayment of license fees .....	20 00
Frank P. Miller, Rushville, O., refund license fees .....	5 00
Russell Miller Milling Co., Minneapolis, Minn., refund license fees .....	100 00
Hammond, Standish & Co., Detroit, Mich., refund license fees .....	80 00
Well-Abbott-Nieman Co., Schuyler, Neb., refund license fees.....	100 00
F. J. Beaseley, Athens, O., refund license fees	20 00
Whitney Power Co., tax refunder.....	675 00

## SALARY CLAIMS

Byron M. Clendinning, Cincinnati, O., in full settlement for salary as member of Public Utilities Commission of Ohio from January 1, 1918, to January 1, 1921.....	\$4,587 48
In full settlement for salary in the State Oil Inspector's department owing to a deficit in the appropriation for the fiscal year 1918-1919—	
T. D. Adams .....	100 00
Geo. L. Sherwood .....	100 00
W. R. Griffiths .....	100 00
Charles J. Hess .....	98 73
J. W. Ucker.....	107 46
W. E. Lee .....	100 00
In full settlement for salary to certain members of Troop B, 1st Ohio Cavalry, O. N. G.—	
John L. Connors, June 19, 1916, to July 6, 1916 .....	36 00
Austin McElroy, June 19, 1916, to July 6, 1916 .....	36 00
Albert Puckett, June 19, 1916, to July 6, 1916 .....	36 00

## SALARY CLAIMS—Concluded.

Sundry Appropriations.

Marcellus J. Walsh, June 19, 1916, to July 6, 1916 .....	36 00
Frank S. Robbins, June 19, 1916, to July 6, 1916 .....	36 00
Erret P. Norris, June 19, 1916, to July 13, 1916 .....	50 00
Frank Taggart, Wooster, Ohio, in full settlement for salary as Superintendent of Insurance from July 1, 1915 to June 2, 1917 .....	2,875 00

## UNPAID BILLS

First National Bank of Napoleon, Ohio, in full settlement for piano purchased by Ohio National Guard for Armory at Napoleon, Ohio .....	\$120 00
The Baltimore & Ohio Railroad Co., in full settlement for freight on coal purchased by the Ohio Board of Administration May 24 and 25, 1919 .....	253 35
M. Booth, Shreve, O., in full settlement for electric service furnished by the Citizens Electric Light, Power & Heat Co., to Co. H, 2nd Infantry, O. N. G., from 1914 to 1917 .....	139 55
H. H. Brewster & Co., McConnelsville, O., in full settlement for rugs purchased for McConnelsville Armory in 1913-1914 .....	29 11
Walter A. Brown, V. S., Columbus, O., for veterinary services to Troop B Cavalry and Battery A, O. N. G., from July, 1915, to September, 1917, payment in full....	209 00
H. Braun Sons & Co., Columbus, O., in full settlement for merchandise furnished the O. N. G. during 1916 and 1917 .....	25 13
The Columbus Railway, Power & Light Co., Columbus, O., in full settlement for electric current furnished Ohio State Fair Grounds during July, August, September and October, 1917 .....	314 83
Fred Culberson, Bryan, O., in full settlement for supplies furnished Co. E, 6th Infantry, O. N. G., in May and June, 1916.	1 26
A. A. Cummins, Treasurer of the Pullman Co., Chicago, Ill., for full settlement of Pullman service furnished the Adjutant General's department from December 1916, to December 24, 1917 .....	65 95
W. H. Davidson, Auditor, C., D. & M. Electric Co., Marion, O., in full payment for electric light furnished Co. D., 4th Infantry, O. N. G., at Marion in 1916....	15 12

Sundry Appropriations.

## UNPAID BILLS—Continued.

Frank B. Diehl, Defiance, O., in full payment for hardware supplies furnished Co. G, 6th Infantry, O. N. G., in 1916.....	13 98
S. S. Fast, London, O., in full settlement for blacksmithing at New Prison Farm in 1918 .....	8 92
C. C. Handy, for the N. Y. C. Railroad Co., Cleveland, O., in full settlement for use of one coach and two baggage cars and for one engine and fuel for same during the Youngstown riots, January, 1916.....	334 30
L. E. & W. R. R., Indianapolis, Ind., in full settlement for freight charge on car of lumber from Ohio Penitentiary to Lima State Hospital May 27, 1916.....	4 00
Lancaster Daily Gazette, Lancaster, O., in full settlement for printing done for Co. L, 4th Infantry, O. N. G., 1915-1917....	56 49
Mann & Shaw, Clyde, O., in full payment of balance due on coal delivered to Armory at Clyde, February 22, 1916.....	29 16
Martens Hardware Co., Lancaster, O., in full settlement for merchandise delivered to Co. L, 4th Infantry, O. N. G., 1916-1917	26 70
Mercy Hospital, Tiffin, O., for board, lodging, medicines and nursing rendered to Albert A. Finn, Co. I, 8th Infantry, O. N. G., from April 14th to 27th, 1917, payment in full .....	20 00
A. W. Miller & Son, McConnelsville, O., in full payment for furniture purchased for McConnelsville Armory in 1917.....	257 00
Geo. F. Partesius, McConnelsville, O., in full payment for eight hall seats purchased for McConnelsville Armory, March 15, 1915 .....	25 00
O. B. Selfridge, Lima, O., in full settlement for rent of rooms used by the county Liquor Licensing Board for June, 1919..	16 00
Treasurer of Shelby County, Sidney, O., in full payment of State's share of street paving assessment on site of State Armory .....	391 40
Standard Oil Co., of Ohio, in full payment for gasoline and oil used at the Ohio Rifle Range at Camp Perry from April 13, 1916, to April 7, 1917.....	575 60
Capt. C. G. Wiltshire, Zanesville, O., in full settlement for collecting tents, cots, etc., for the State after the 1913 flood.....	299 78



## UNPAID BILLS—Concluded.

Sundry Appropriations.

Frank E. Bell, Columbus, O., in full settlement for services rendered the Eighty-fourth General Assembly .....	250 00
Benjamin Lyons, Columbus, O., in full settlement for services rendered the Eighty-fourth General Assembly .....	150 00
Dr. Alfred Robinson, Columbus, Ohio, in full settlement for services rendered the Eighty-fourth General Assembly .....	600 00

## MISCELLANEOUS CLAIMS

Methodist Centenary Celebration, Henry Ewing, Columbus representative, in full settlement for toilets erected at State Fair Ground in June, 1919.....	5,000 00
Capt. A. H. Drinkwater, Tiffin, O., in full payment for bills contracted for Co. I, 8th Infantry, O. N. G., from March, 1911, and for recruiting service May 22 to July 15, 1917 .....	810 09
Dr. Robert W. Gregg, Delaware, O., in full payment for automobile hire incidental to vaccination of troops in the Fourth Infantry during recruiting service in 1919 .....	71 68
P. A. McHugh Co., Cleveland, O., in full settlement for erecting speaker's stand and decorations for same incidental to recruiting service in April, 1917.....	45 00
W. S. Matthews, Asst. Adjutant General, Headquarters Ohio G. A. R., in full settlement for printing Rosters and Proceedings .....	226 50
F. L. Packard, Columbus, O., in full settlement for speaker's stand, decorations, sound amplifier, etc., for the inauguration of Governor Harry L. Davis, January 10, 1921 .....	5,000 00
Village of Canal Winchester, Ohio, State's share of improving High street, in front of armory in said village.....	2,810 83
Treasurer of Richland County, Ohio, benefit to state property account of improvement of Rocky Ford River in said county....	3,480 00

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed May 27, 1921.

Approved June 2, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 2nd day of June, A. D. 1921.

200 G.

his act is not  
a general  
and permanent  
nature and re-  
quires no sec-  
onal number.  
JOHN G. PRICE,  
Attorney  
General.

## AN ACT

To make supplementary appropriations for the remainder of the current fiscal year.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The sums set forth in section 2 of this act, in the columns therein designated "Appropriations" are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations enumerated in such sections for departments, boards, commissions, bureaus, institutions and offices, and the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, insofar as such funds are subject by law to appropriation and expenditure for the purposes therein mentioned, and to the extent that the monies to the credit of such specific funds on the date of the passage of this act, or which may be credited thereto prior to June 30th, 1921, shall be sufficient to satisfy such appropriation.

SECTION 2. The following sums shall not be expended to pay liabilities incurred subsequent to June 30th, 1921:

## SENATE

	Items	Appropriations
Maintenance—		
F. Contract and Open Order Service—		
F 6. Traveling Expense .....	\$6,000 00	
Total Maintenance..	\$6,000 00	\$6,000 00

## HOUSE OF REPRESENTATIVES

A 2. Wages .....	\$5,000 00	\$5,000 00
Maintenance—		
F. Contract and Open Order Service—		
F 6. Traveling Expenses .....	19,000 00	
Total Maintenance.	\$19,000 00	\$19,000 00
F 9. Expense Legislative committees .....	4,000 00	4,000 00

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed May 27, 1921.

Approved June 2, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 2nd day of June, A. D. 1921.

201 G.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

## AN ACT

To make supplementary appropriations for the remainder of the current fiscal year.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. The sums set forth in sections 2 and 3 of this act, in the columns therein designated "Appropriations" are hereby appropriated out of any monies in the state treasury not otherwise appropriated. Appropriations enumerated in such sections for departments, boards, commissions, bureaus, institutions, and offices, for the uses and purposes of which, or of any activity or function thereof, specific funds in the state treasury are provided by law, are hereby made from such specific funds, insofar as such funds are subject by law to appropriation and expenditure for the purposes therein mentioned, and to the extent that the monies to the credit of such specific funds on the date of the passage of this act, or which may be credited thereto prior to June 30th, 1921, shall be sufficient to satisfy such appropriation.

SECTION 2. The following sums shall not be expended to pay liabilities incurred subsequent to June 30th, 1921:

## BOARD OF STATE CHARITIES.

## Maintenance—

## F. Contract and Open Order Service—

F 6. Traveling Expense.....	\$3,500 00
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BUREAU OF INSPECTION AND SUPERVISION OF  
PUBLIC OFFICES

## Maintenance—

## E. Equipment—Replacement—

E 1. Office .....	\$250 00
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## F. Contract and Open Order Service—

F 8. Contingencies. ....	\$750 00
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Total Maintenance .....	\$1,000 00
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To extra compensation for employes of house and senate under the bonus plan of all state employees ..... \$12,000 00

SECTION 3. Sections 4, 6, 7, 8, 9, and 11, of the law entitled "An Act to make general appropriations" (108 O. L. page 733) passed by the 83rd General Assembly and filed in the office of the Secretary of State June 30, 1919, shall apply to and govern the appropriations made herein

with the same force and effect as to the appropriations made to said original act hereinbefore cited.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.

Approved June 2, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 2nd day of June, A. D. 1921.

202 G.

[House Bill No. 418.]

## AN ACT

To cure and validate all contracts and proceedings for the construction, improvement or repair of all stone, gravel or other roads in the state of Ohio, had under the provisions of an act of the General Assembly of the state of Ohio entitled, "An act to provide a system of highway laws for the state of Ohio and to repeal all sections of the General Code and acts inconsistent herewith," passed May 17th, 1915, (105-106 O. L., pages 574 to 666, both inclusive), had prior to the 10th day of June, 1919.

*Be it enacted by the General Assembly of the State of Ohio:*

Validation of contracts, etc., for construction of all stone, gravel or other roads under former act.

SECTION 1. All proceedings for the construction, improvement or repair of any stone, gravel or other road in the state of Ohio, under the provisions of an act of the General Assembly of the state of Ohio, entitled "An act to provide a system of highway laws for the state of Ohio, and to repeal all sections of the General Code, and acts inconsistent herewith," passed May 17th, 1915, (105-106 O. L. pages 574 to 666, both inclusive), had prior to the tenth day of June, one thousand nine hundred and nineteen, on all petitions granted, or the letting, or the awarding, or contracts made and entered into, or proceedings preliminary to or in connection therewith, or bonds issued, or taxes and assessments levied or to be levied on account thereof, are hereby declared and held to be valid notwithstanding any defect or irregularity therein or any failure to conform strictly to the provisions of the above mentioned act.

Effect and enforcement of act.

SECTION 2. The courts of the state of Ohio shall give effect to, and enforce, the provisions of this act in all

actions now pending or that may be hereafter begun or commenced therein.

his act is not  
a general  
and permanent  
nature and re-  
quires no sec-  
onal number.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

203 G.

[Amended Senate Bill No. 140.]

### AN ACT

To amend supplemental section 1652-1, sections 2083, 2084 and 2091 of the General Code and to add supplemental sections 2083-1, 2084-1 and 2084-2 of the General Code, relating to the Boys' Industrial School.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That supplemental section 1652-1, and sections 2083, 2084 and 2091 of the General Code be amended so as to read as herein provided, and that sections 2083 and 2084 be supplemented by the enactment of sections 2083-1, 2084-1 and 2084-2, so as to read as herein provided.

Sec. 1652-1. Any child coming within the provisions of this chapter may be subjected to a physical and mental examination by a competent physician or physicians, to be appointed by the Juvenile Court. Whenever any such child is committed to any institution by virtue of the provision of this chapter, a record of such examination or examinations shall be sent with the commitment to such institution. The Juvenile Court shall tax as part of the costs, a reasonable fee for such examination.

Examination by  
competent phy-  
sician; record  
sent with com-  
mitment.

Sec. 2083. The boys' industrial school, situated in the county of Fairfield, shall be maintained for the industrial and intellectual training of those admitted to its care. All youths committed thereto by the courts shall be committed until twenty-one years of age, unless sooner released by the school for satisfactory behavior and progress in training. The power to receive and discharge students and regulate their training and instruction shall be vested exclusively in the controlling administration department and the school shall be subject to such inspection as may be provided by law.

Boys' industrial  
school; commit-  
ment; discharge.

Sec. 2084. Male youth, not over eighteen nor under ten years of age having normal mental and physical ca-

Admission of  
youths to school.

capacity for intellectual and industrial training may be committed to the boys' industrial school by the juvenile courts upon a finding of delinquency as designated by the laws for juveniles. No youth having a contagious or infectious disease shall be so committed.

What youths may be admitted to the boys' industrial training school.

Sec. 2084-1. Male youth, not over eighteen nor under ten years of age, having normal, mental and physical capacity for intellectual and industrial training may be admitted to the boys' industrial training school under such regulation governing tuition, maintenance and discipline as the controlling board may provide. Funds collected for the maintenance of youth so admitted shall be turned into the state treasury for the use of the school.

Child committed under sole control of school.

Sec. 2084-2. When a child has been received by the boys' industrial school under the provisions of this or other chapters on commitment by a juvenile court, or by transfer or assignment by the board, sole control of said child shall be in the school and the power and jurisdiction of the court shall cease.

Leave of absence of inmates.

Sec. 2091. The board shall establish rules and regulation under which inmates of the school may be allowed to go upon leave of absence until finally discharged. No inmate shall be given leave of absence, discharged or transferred from the school except upon the written recommendation of the superintendent. The board shall designate the number of field officers who may be employed to establish proper supervision over inmates on leave of absence.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

SECTION 2. That supplemental section 1652-1 and sections 2083, 2084, and 2091 be and the same are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

204 G.

[House Bill No. 417.]

## AN ACT

To amend section 1465-58 of the General Code authorizing the State Industrial Commission to purchase classes of securities.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. To amend section 1465-58 of the General Code to read as follows:

Sec. 1465-58. The state industrial commission shall have the power to invest any of the surplus or reserve belonging to the state insurance fund in bonds of the United States, the state of Ohio, or of any county, city, village or school district, or any conservancy district of the state of Ohio, at current market prices for such bonds; provided that such purchase be authorized by a resolution adopted by the industrial commission and approved by the governor; and it shall be the duty of the boards or officers, of the several taxing districts of the state in the issuance and sale of bonds of their respective taxing districts, to offer in writing to the state industrial commission, prior to advertising the same for sale, all such issues as may not have been taken by the trustees of the sinking fund of the taxing district so issuing such bonds; and said industrial commission shall, within ten days after the receipt of such written offer either accept the same and purchase such bonds or any portion thereof at par and accrued interest, or reject such offer in writing; and all such bonds so purchased forthwith shall be placed in the hands of the treasurer of state, who is hereby designated as custodian thereof, and it shall be his duty to collect the interest thereon as the same becomes due and payable, and also the principal thereof, and to pay the same, when so collected, into the state insurance fund. The treasurer of state shall honor and pay all vouchers drawn on the state insurance fund for the payment of such bonds when signed by any two members of the state industrial commission, upon delivery of said bonds to him when there is attached to such voucher a certified copy of such resolution of the state industrial commission authorizing the purchase of such bonds; and the state industrial commission may sell any of said bond upon like resolution, and the proceeds thereof, shall be paid by the purchaser to the treasurer of state upon delivery to him of said bonds by the treasurer.

Securities in which state insurance fund may be invested.

SECTION 2. That said original section 1465-58 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

205 G.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

[Senate Bill No. 124.]

## AN ACT

To amend section 3180 of the General Code, relating to the care of prisoners in county jails.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3180 of the General Code be amended to read as follows:

Holding religious service and conducting welfare work.

Sec. 3180. Each administrative board or other authority in the state having control of a county jail, shall provide for holding religious services and the conducting of other welfare work therein by such persons or organizations and at such times as the probate judge of the county in which such jail is located may from time to time authorize and direct.

SECTION 2. That said original section 3180 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed April 29, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

206 G.

[Amended Substitute Senate Bill No. 221.]

## AN ACT

To amend sections 8975 and 8976 of the General Code, relating to wire line construction, maintenance and operation.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 8975 and 8976 of the General Code be amended to read as follows:

Rules and regulations governing the construction, maintenance, etc., of telephone, telegraph, etc., wires.

Sec. 8975. The public utilities commission shall, within six months after this act takes effect, determine standards of maintenance and operation and also the nature, location and character of the construction to be used where telegraph, telephone, electric light, power, or other electric wires of any kind cross or more or less parallel the line of a railroad, interurban railway or other public utility, and to this end shall formulate, and from time to time issue rules and regulations and complete detailed specifications, covering each class of construction, maintenance and operation of such electric wire crossing and (or) parallel, under the various conditions existing;



and the commission upon complaint of any person, railroad, interurban railway, or public utility, claiming to be injuriously affected or subjected to hazard, shall, after hearing, make such order and prescribe such terms and conditions for the construction, maintenance and operation of the lines, plants, or systems, as to it may seem just and reasonable.

Sec. 8976. The public utilities commission shall see that the provisions of the next preceding section are enforced, and for that purpose shall have power to cause the removal of such telegraph, telephone, electric light, power or other electric wires of any kind crossing or paralleling such other line and not in accordance with the rules, regulations, and specifications issued by said commission.

Duty of the  
public utilities  
commission.

SECTION 2. That original sections 8975 and 8976 of the General Code and all other sections or parts of sections of the General Code inconsistent herewith be, and the same are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

207 G.

[Amended Senate Bill No. 227.]

## AN ACT

To amend section 1662 of the General Code, relating to the compensation of probation officers.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1662 of the General Code be amended to read as follows:

Sec. 1662. The judge designated to exercise jurisdiction may appoint one or more discreet persons of good moral character, one or more of whom may be a woman, to serve as probation officers, during the pleasure of the judge. One of such officers shall be known as chief probation officer and there may be one or more assistants. Such chief probation officer and assistants shall receive such compensation as the judge appointing them may designate at the time of the appointment; provided, however, that such compensation may be increased or decreased at any time by said judge, but the compensation of the

Probation officers.  
appointment; compensation:  
how paid.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

chief probation officer shall not exceed three thousand dollars per annum and that of the assistants shall not exceed twenty-four hundred dollars per annum. The judge may appoint other probation officers, with or without compensation, when the interests of the county require it.

The compensation of the probation officers shall be paid by the county treasurer from the county treasury upon the warrant of the county auditor, which shall be issued upon itemized vouchers sworn to by the probation officers and certified to by the judge of the juvenile court. The county auditor shall issue his warrant upon the treasury and the treasurer shall honor and pay the same, for all salaries, compensation and expenses provided for in this act, in the order in which proper vouchers therefor are presented to him.

SECTION 2. That original section 1662 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D., 1921.

208 G.

[House Bill No. 353.]

## AN ACT

To authorize Spring Creek township rural school district, Miami County, Ohio, to designate one or more building and loan associations located in Miami county as a depository for school funds.

*Be it enacted by the General Assembly of the State of Ohio:*

Spring Creek township, Miami county authorized to transfer proceeds of bond sale.

SECTION 1. That in order to relieve the board of education of Spring Creek township rural school district, Miami county, Ohio, of a financial loss, arising from the fact that upon approval of the voters of such township the board of education of such school district has issued bonds in the amount of seventy-five thousand dollars at an authorized rate of interest of five per cent to erect a centralized school building in such school district and due to the failure of the electors of such rural school district to approve an additional bond issue of thirty thousand dollars, which was found necessary to complete the school and the funds arising from the sale of such bonds, are deposited according to law in a bank, at three per cent interest, the clerk

of the board of education of Spring Creek township rural school district, Miami county, Ohio, is hereby authorized to transfer the seventy-five thousand dollars, now on deposit in a bank in Miami county, to one or more building and loan associations in such county, organized under the laws of the state of Ohio, and adequately equipped to handle such funds.

SECTION 2. Such of said associations in Miami county as desire to avail themselves of the provisions of this act shall have the right at any time from the date of passage hereof to apply to become depositories of such funds, by making application in writing to the clerk of the board of education of Spring Creek township school district and stating the rate of interest offered. Such clerk shall apportion and deposit such funds with the association or associations offering the highest rate of interest within the limits provided for in this act.

What associations may apply to become depositories.

SECTION 3. The deposits shall be in the form of an inactive deposit and shall bear interest at the rate of not less than five per centum per annum, payable semi-annually, and shall be secured by surety company bonds acceptable to the board of education for an amount equal to the amount deposited plus five per cent, or by the deposit of state, county or municipal bonds, or bonds of the United States government equal to the amount deposited plus five per cent.

Form of deposits.

SECTION 4. Such association shall also file with the clerk of the board of education of the above mentioned school district demand certificates of deposit in an amount equal to the total amount deposited, which shall specify the payment of interest at a rate of not less than five per cent, payable semi-annually, and shall be signed by the secretary or other authorized officer of such association or associations which shall have the option of redeeming such certificates at any interest paying period by repaying the amount so deposited, or any portion thereof in sums of not less than one thousand dollars, with interest thereon to the date of such repayment, to the clerk of the board of education of such school district.

Demand certificate filed with clerk of board.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,

*Governor.*

This act is not  
of a general  
and permanent  
nature and re-  
quires no sec-  
tional number.  
JOHN G. PRICE,  
Attorney  
General.

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

209 G.

[House Bill No. 309.]

## AN ACT

To amend sections 8870 and 8890 of the General Code of Ohio, relative to interest rates on bonds issued for grade crossing elimination.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 8870 and 8890 of the General Code of Ohio be amended to read as follows:

Bonds and tax  
levy.

Sec. 8870. For the purpose of raising money to pay its proportion of the cost of such improvement, the municipality or county may issue its bonds to the necessary amount, which bonds shall be of such denomination and payable at such place and times as the council or the commissioners determine, and bear interest not exceeding six per cent per annum, but not to be sold for less than their par value. A tax on the taxable property of the municipality or county not exceeding one-half mill in each year may be levied to pay the principal and interest of the bonds as they mature. After the improvement is completed, a tax may be levied by the municipality or county to pay the cost of maintaining and keeping in repair that part of the work required to be maintained and kept in repair by it.

Bond issue.

Sec. 8890. For the purpose of raising the money to pay the proportion of the cost of such improvement payable by the municipality, the bonds of the municipality may be issued in the necessary amount and shall be of such denomination and payable at such place and times as the council determines, and bear interest not exceeding six per cent per annum, and shall not be sold for less than par value.

Application of  
law.

SECTION 2. This act and the sections of the General Code as hereby amended shall apply to all pending proceedings for the issuance of bonds to defray the cost of eliminating grade crossings, and shall apply to any bonds which have heretofore been authorized but remain unsold.

SECTION 3. That original sections 8870 and 8890 of the General Code be, and the same are hereby repealed.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

210 G.

[House Bill No. 286.]

## AN ACT

To further supplement section 5348 of the General Code by the addition of supplemental section 5348-11, providing for fees for probate judges in inheritance tax proceedings.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 5348-10a.

SECTION 1. That section 5348 of the General Code be further supplemented by the addition of supplemental section 5348-11 to read as follows:

Sec. 5348-11. For services performed by him under the provisions of this chapter each probate judge shall be allowed a fee of five dollars in each inheritance tax proceeding in his court in which tax is assessed and collected and a fee of three dollars in each such proceeding in which no tax is found, which fees shall be allowed and paid to such judges as the other costs in such proceedings are paid but are to be retained by them personally as compensation for the performance by them of the additional duties imposed on them by this chapter. Provided always, however, that the amount paid to any probate judge under this section shall in no case exceed the sum of three thousand dollars in any one year.

Fees of probate judge in inheritance tax proceeding.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

211 G.

[House Bill No. 354.]

## AN ACT

To amend sections 1579-66, and 1579-73, and to repeal section 1579-65 of the General Code, relative to liens on real property created by judgments and undertakings of the municipal court of Dayton.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1579-66 and 1579-73 of the General Code be amended to read as follows:

Sec. 1579-66. The party in whose favor a judgment is rendered by the municipal court may file a transcript of such judgment in the office of the clerk of the court of common pleas, in the same manner and under the same conditions as are now, or may hereafter be, provided for

Transcript may be filed in court of common pleas.

the filing of transcripts of judgments rendered by justices of the peace. The clerk of the court shall note upon such transcript and upon his record, the day and hour when such transcript is received for filing; and upon the filing of such transcript, all lands and tenements, including vested interests therein, and permanent leasehold estates renewable forever, located within the city of Dayton, or county of Montgomery, shall be bound for the satisfaction of such judgment from the date of the filing of the transcript thereof; all provisions relative to transcripts of judgments and liens of judgments rendered by justices of the peace, shall, in so far as applicable, be applied to transcripts of judgments and liens of judgment rendered by the municipal court.

Laws governing  
court of common  
pleas applicable.

Sec. 1579-73. The laws governing the court of common pleas as to security for costs except as herein otherwise provided for, motions for new trials, vacation or modification of judgments before and after terms, the referring of matters to a referee, the issuing of executions and orders for stay of execution, and the taking of depositions shall be held to apply, so far as applicable, to the municipal court. Provided, that a person against whom a judgment has been rendered in the municipal court may stay execution thereon by entering into a bond to the adverse party within ten days after the rendition of such judgment, with sufficient surety, who shall be a freeholder owning real property situated in the city of Dayton or a corporation authorized to execute surety bonds in this state, approved by the clerk of the court or a deputy, and conditioned for the payment of the amount of such judgment, interest, costs and costs that accrue. Such bonds shall be entered on the docket of the clerk of the court and shall be signed by such surety.

Stay of execution.

The stay of execution hereby authorized shall be graduated as follows:

First. On a judgment of \$50.00 and under, thirty days.

Second. On a judgment exceeding \$50.00 for ninety days.

SECTION 2. That original sections 1579-66, 1579-73 and section 1579-65 of the General Code be, and the same are hereby repealed.

The sectional  
numbers in this  
act are in conformity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

## AN ACT

To amend sections 3092, 3109, 3112, 3113, 3118 and 3119 of the General Code, and to enact supplemental section 3092-1, relative to the abandonment and sale of children's homes and the custody of dependent children in such cases and authorizing the use of such homes by adjoining counties.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 3092, 3109, 3112, 3113, 3118 and 3119 of the General Code be amended and supplemental section 3092-1 be enacted, to read as follows:

Sec. 3092. In any county where such home has not already been provided, or where such home has been abandoned by the county commissioners as provided by law, the board of county commissioners may enter into a contract for the care of its neglected or dependent children with a county children's home in another county, or with any institution or association in the state which has for one of its objects the care of dependent or neglected children, provided such institution or association has been duly certified by the board of state charities; or the board of county commissioners may pay reasonable board and provide suitable clothing and personal necessities as well as medical, dental and optical examination and treatment of dependent or neglected children who may be placed in the care of private families within the county. Provided that in any such case such dependent or neglected children shall be duly committed to the aforesaid institution or association or placed in the care of a private family by the juvenile court as provided by law. Provided, that with the approval of the board of state charities, when in the judgment of the county commissioners the best interests of the dependent wards of the county will be subserved thereby, they may appoint a county child welfare board of four, two members of which shall be women, to serve without compensation, such appointments to be subject, as far as applicable, to the provisions of sections 3081 and 3082 of the General Code. Such board shall have the same powers and duties relative to dependent children as are now given to trustees of county children's homes, so far as applicable, particularly relating to the appointment of a visitor for the finding and supervision of family homes for such children.

Commissioners may contract for care of dependent children in certain institutions, when.

When county welfare board may be appointed; powers and duties of such board.

Sec. 3092-1. In any county having a county children's home the board of county commissioners, with the approval of the board of state charities, may abandon such home after having published an announcement of proposed abandonment in at least two newspapers of opposite politics, when such exist, and of general circulation within the county. Such publication shall be made at least twenty and not more than thirty days prior to a date specified therein when a public hearing on the proposed abandon-

Abandonment of county children's home; procedure.

ment will be had at a place and time stated in such publication. Such publication may, at the discretion of the commissioners, be repeated at weekly intervals prior to the public hearing. If at such hearing a written statement signed by at least fifty voters of the county is presented signifying a desire for a referendum vote on the proposed abandonment, the commissioners shall take no further action for thirty days. If within that time a petition signed by not less than five per cent of the electors of the county as shown by the last general election is presented, demanding a popular referendum vote, then the commissioners shall certify to the board of state supervisors of elections that the question of abandonment of such county children's home be submitted to the voters at the next regular election held not less than thirty days after the date of such certification. The laws relating to filing referendum petitions on acts of the General Assembly shall be followed as far as applicable. If no such written statement praying for a referendum vote is presented at said public hearing, or if within thirty days after such written statement is presented, the aforesaid provision concerning a petition is not fully complied with, or if a majority of the votes cast upon a referendum vote is in favor of such proposed abandonment, the commissioners may then proceed with the sale of the site and buildings of such children's home in the manner most advantageous to the county, or may proceed to use them for other necessary and proper purposes; provided, that all wards of such county children's homes who are placed in foster homes and who are under the guardianship of the trustees shall first be legally committed or transferred to the guardianship of the board of state charities as provided by law. If all or a part of the site and buildings heretofore used for such county children's home be sold the net proceeds of such sale shall be used to provide and care for neglected and dependent children in other institutions, boarding homes, or foster homes as approved by the board of state charities.

District homes  
may be pro-  
vided.

Sec. 3109. In accordance with the purposes, provisions, and regulations relating to county children's homes, when in their opinion the public good so demands, the commissioners of two or more adjoining counties, not to exceed four, may form themselves into a joint board, and proceed to organize a district for the establishment and support of a children's home by using a site and buildings already established in one such county or by providing for the purchase of a site, and the erection of necessary buildings thereon, provided the approval of the board of state charities has been first obtained.

Board of five  
trustees; ap-  
pointment, term,  
meetings, etc.

Sec. 3112. Immediately upon the organization of the joint board, or as soon thereafter as practicable, said joint board shall appoint five trustees, who shall hold and perform the duties of their office, until the first annual meet-



ing after the choice of an established site and buildings or after the selection and purchase of a building site, when said joint board shall appoint a board of five trustees, who shall hold their office, one for the term of one year, one for the term of two years, one for the term of three years, one for the term of four years, and one for the term of five years. Annually thereafter, said joint board shall appoint one trustee, who shall hold his office for the term of five years, and until his successor is appointed and qualified. The annual meeting of the board shall be held on the first Tuesday of May in each year.

Sec. 3113. When the trustees do not choose an established institution in one of the counties of the district they may select a suitable site for the erection of such home, which must be of easy access, and when in the judgment of the trustees, equally conducive to health, economy in purchasing or in building, and to the general interest of the home and inmates, as near as practicable to the geographical center of the district and where but two counties form a district as near as may be to the dividing line.

Selection of site and erection of home.

Sec. 3118. The choice of an established site and buildings or the purchase of site, stock, implements and general equipments of farm, should there be a farm, the erection of buildings, and completion and furnishing of the home ready for occupancy, shall be in the hands of the joint board of commissioners, but they may delegate all or a portion of these duties to the board of trustees, under such restrictions and regulations as they impose and provide.

Power to purchase site, stock, implements, etc., vested in joint board.

Sec. 3119. When an established site and buildings are used the joint board shall cause the value of such site and buildings to be properly appraised. This appraisal value, or in case of the purchase of a site, the purchase price and the cost of all betterments and additions thereto, shall be paid by the counties comprising the district, in proportion to the taxable property of each county, as shown by their respective duplicates. The current expense of maintaining the home and the cost of ordinary repairs thereto, shall be paid by each such county in proportion to the number of children therefrom maintained in the home during the year.

Appraisement of established site; cost paid by counties in proportion to taxable property.

SECTION 2. That original sections 3092, 3109, 3112, 3113, 3118 and 3119 of the General Code be, and the same are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

213 G.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICH,  
*Attorney General.*

[Amended Senate Bill No. 128.]

## AN ACT

To authorize and empower the trustees of Clinton township, Wayne county, Ohio, to issue bonds for the payment of a site for an armory at Shreve, Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

Clinton township, Wayne county, authorized to issue bonds for armory site at Shreve.

SECTION 1. That in pursuance of an act of the General Assembly passed January 21, 1920, providing for the erection of an armory at Shreve, Ohio, and in pursuance of the approval of the electors of Clinton township, Wayne county, Ohio, at the primary election held on April 27, 1920, of a bond issue of ten thousand dollars, due and payable within ten years at six per cent interest payable semi-annually, for the purpose of purchasing a site for an armory and soldiers' monumental building, and furnishing same as provided in such act, and in order to enable such bonds to be sold, the trustees of Clinton township, Wayne county, Ohio, are hereby authorized to issue the bonds of Clinton township, in denominations to be determined by them, in a sum not to exceed ten thousand dollars, due and payable within ten years at six per cent per annum interest payable semi-annually, and to execute, sell and deliver the same to purchasers at not less than par, and to the highest bidder. The proceeds of the sale of such bonds shall be used for the payment of a site for an armory and soldiers monumental building at Shreve, Ohio, and for the construction and furnishing of same as provided by law, title now in the state of Ohio.

Proceeds shall be credited to "Armory and Soldiers' Monumental Fund"; disbursement.

SECTION 2. The fund received by such trustees from the sale of such bond issue shall be paid into the township treasury, to the credit of the "Armory and Soldiers' Monumental Fund", and shall be paid out on order of such trustees as follows: To the Farmers' Bank, Shreve, Ohio, the sum of thirty-five hundred dollars, which has been advanced and paid for such armory site, with interest at six per cent, from time of advancement, for the construction and furnishing of such armory and soldiers monumental building; the balance, if any, shall be used and paid out for the redemption of the bonds so issued to provide such fund.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,

Speaker of the House of Representatives.

Passed April 29, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

[Amended Senate Bill No. 96.]

## AN ACT

To amend sections 1579-501, 1579-504, 1579-506, 1579-513, 1579-515, 1579-516, 1579-519, 1579-534, 1579-540 and 1579-542 of an act passed April 3, 1919, entitled "An act to establish a municipal court in and for the city of Akron and to repeal an act entitled 'An act to establish a police court in the city of Akron, Summit county, Ohio,' passed May 10, 1910, and all acts amendatory thereof."

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 1579-501, 1579-504, 1579-506, 1579-513, 1579-515, 1579-516, 1579-519, 1579-534, 1579-540, and 1579-542 of an act passed April 3, 1919, entitled, "An act to establish a municipal court in and for the city of Akron and to repeal an act entitled 'An act to establish a police court in the city of Akron, Summit County, Ohio', passed May 10, 1910, and all acts amendatory thereof" be amended to read as follows:

Sec. 1579-501. The court shall consist of three judges, all of whom shall be qualified electors and residents of the city of Akron and shall have been admitted to the practice of law in the state of Ohio for at least five years. Each judge shall receive a salary of four thousand five hundred dollars per annum, payable in monthly installments, fifteen hundred dollars of which shall be paid out of the treasury of Summit County and three thousand dollars of which shall be paid out of the treasury of the city of Akron. The vacations of the respective judges shall not exceed thirty days in any year and shall be at such times as may be fixed by the judges and shall be so fixed that at least two judges shall be in attendance at all times.

Number, qualifications and salaries of judges.

Sec. 1579-504. The judges shall be subject to the same disabilities, may be removed from office for the same causes and shall be governed by the same provisions of law as judges of the court of common pleas, except as otherwise provided herein. Any vacancy which may occur in the office of judge, other than by temporary absence or disability shall be filled by appointment by the governor until a successor is elected and qualified, provided that if such temporary absence or disability shall continue for one year, it shall operate to constitute a vacancy. Every such vacancy shall be filled by election at the first general municipal election taking place more than thirty days after the vacancy shall have occurred. The person elected shall fill the office for the unexpired term.

Removal; vacancy, how filled.

Sec. 1579-506. The court shall have and exercise original jurisdiction within the limits of the city of Akron as follows:

Original jurisdiction in the city of Akron.

1. In all actions and proceedings of which justices of the peace have or may be given jurisdiction.
2. In all civil actions and proceedings at law for the recovery of money or personal property when the amount

claimed by any party, or the appraised value of the personal property sought to be recovered does not exceed one thousand dollars, and in such actions judgment may be rendered for an amount over one thousand dollars when the excess over one thousand dollars consists of interest or costs accrued after the commencement of the action.

3. In all actions arising out of contract when the amount claimed by the plaintiff, exclusive of costs, does not exceed one thousand dollars, the court shall have jurisdiction to decree reformation or cancellation under the ordinary rules and proceedings in equity.

4. In all actions and proceedings at law to enforce the collection of its own judgment or judgments rendered by justices of the peace of Akron township, Summit county, or by the police court of the city of Akron and in all proceedings for the revivor of such judgments.

5. In all actions and proceedings for the sale of personal property under chattel mortgages, liens or other charges or incumbrances thereon and for the marshalling of all liens thereon, when the amount sought to be recovered does not exceed one thousand dollars.

6. In all actions and proceedings in the nature of creditors' bills in aid of execution to subject the interest of a judgment debtor in personal property to the payment of a judgment enforceable by the court.

7. In all actions and proceedings in the nature of interpleader involving amounts not in excess of one thousand dollars.

8. Authority to hear and determine questions of exemptions, upon execution or attachment, upon the application or motion of any officer of the court or of any party to a cause pending or adjudicated in said court.

9. Authority to distribute and control all property levied upon or seized by any legal process issuing from the court, or the proceeds thereof, which may come into the hands of its officers, and to order the immediate sale of any property of a perishable nature which may come into the hands of an officer of the court upon any process issuing from the court, and the money realized therefrom shall be held and retained by the officer until distributed by order of the court as herein provided.

10. Within the jurisdiction of the court, authority to make any person a defendant who has or claims an interest in the controversy adverse to the plaintiff, or who is a necessary party to a complete determination or settlement of a question involved therein.

11. Within the jurisdiction of the court, authority to determine any controversy between parties before it, when it can be done without prejudice to the rights of others, or by saving their rights. When such determination cannot be had without the presence of other parties, the court may order them to be brought in or may dismiss the action without prejudice.

Sec. 1579-514. When the amount claimed by the plaintiff exceeds the sum for which the court is authorized to render judgment, he may remit the excess and judgment may be rendered for the residue. A defendant having a counter-claim or set-off which is in excess of such sum, may assert the same and the court shall have jurisdiction to hear and determine such counter-claim or set-off and render judgment thereon to the amount of one thousand dollars, but such defendant shall not be thereby precluded from setting up the residue of his claim in a separate action. And such defendant may, at his option, withhold setting up such counter-claim or set-off and may make the same the subject of a separate action in a court of competent jurisdiction.

When amount exceeds sum court authorized to render judgment for.

Sec. 1579-515. Whenever the appraised value of property sought to be recovered in any action in the municipal court exceeds one thousand dollars, the court, or a judge thereof, shall forthwith certify the proceedings in the case to the court of common pleas of Summit county and the clerk of the municipal court shall forthwith file the original papers and pleadings, together with a certified transcript of the docket and journal entries in the case, with the clerk of the court of common pleas. The bailiff shall forthwith turn over the property in his possession to the sheriff of Summit county, to be by him held as in like cases originating in the court of common pleas. The case shall then proceed as if it had been commenced in the court of common pleas.

When proceedings certified to common pleas court.

Sec. 1579-516. Civil actions and proceedings in the municipal court shall be commenced by filing a statement of claim, upon which summons or writ shall be issued by the clerk. The form of summons or writ shall be the same as in the court of common pleas, except as hereinafter otherwise provided. In attachment and garnishment proceedings, a true copy of the affidavit shall be served with the summons and order of attachment or garnishment.

Commencement of civil actions, summons, etc.

1. All writs and process in the municipal court shall be served and returned by the bailiff or a deputy bailiff, or served by publication in the manner which is now or may hereafter be provided by law for service and return of writs and process in the court of common pleas, unless the judges of the municipal court shall provide, by rule of court, for the service of process by mail, in which case service by mail may be made in accordance with such rule of court. In all cases in which service by publication is authorized by law, publication for three consecutive weeks shall be sufficient.

2. The return day of the summons or writ shall be fixed by a rule of court not later than seven days after issuance and the summons or writ shall be served at least three days before the time of appearance, except that in cases in forcible entry and detention or the forcible detention only of real property, the return day shall be as provided by law in such actions before justices of the peace.

3. In all civil cases the plaintiff shall file a statement of claim and the defendant shall file a like statement of any set-off or counter-claim he may have. A statement of defense shall be filed in every case in which a statement of defense may be required by rule of court within the time limited by rule of court for the filing of statements of defense, set-off or counter-claim, which shall be not less than five days after the return of the summons. In every case in which a statement of defense may be required by rule of court the date when such statement of defense shall be filed shall be set forth in the summons. Every statement of a party shall set forth in plain and direct language the facts constituting the cause of action, set-off, counter-claim or defense.

4. To expedite the business of the court and promote the ends of justice, the judges from time to time shall adopt, publish and revise rules relating to matters of practice and procedure not otherwise provided for in this act.

Cases tried by  
court unless  
jury demanded;  
number compos-  
ing juries.

Sec. 1579-519. All cases, civil and criminal, shall be tried to the court unless a trial by jury is demanded by a party or the judge, in the interest of justice, on his own motion, orders a trial by jury. The time for making a demand for trial by jury may be fixed and limited by rule of court. In all civil actions when a jury is demanded, the jury shall be composed of electors of the city of Akron, and the number thereof shall be six, unless a party demand a jury of twelve, in which case the number thereof shall be twelve, provided, that by agreement of the parties the jury may be composed of a less number than either of the numbers aforesaid. In all criminal actions in which a jury may be and is demanded, the jury shall be composed of twelve electors of Summit county. In civil actions the jury shall render a verdict upon the concurrence of three-fourths or more of their number. No venire or summons for jurors shall be issued by the clerk, except when ordered and directed by the court, or a judge thereof, nor until the party in a civil action demanding a jury shall deposit the sum of \$5.00 with the clerk of the court on account of the fees of said jury.

Deposit before  
venire issued.

Transcript of  
proceedings;  
bond.

Sec. 1579-534. The clerk of the municipal court shall make and certify a transcript of the proceedings, including a transcript of the appeal bond, and on demand, after being paid the legal fee therefor, shall deliver the same to the appellant or his agent, who shall deliver the same to the clerk of the court of common pleas of Summit county on or before the thirtieth day from the rendition of the judgment appealed from. The clerk of the municipal court shall also deliver or transmit the statement or statements of claim or claims, the depositories, evidence and all other original papers, if any, used on the trial in the municipal court, to such clerk on or before the thirtieth day from the judgment, and all other proceedings of the municipal court in that case shall cease and be stayed from the time of en-

tering into the appeal bond. In such case the clerk and the bailiff of the municipal court shall turn over any moneys or property held by them in the action to the clerk or sheriff, respectively, of Summit county, to be by them held as in like cases originating in the court of common pleas. If for any reason the cause is not heard and determined by the appellate court, or if the appeal is dismissed by the appellate court or judgment is rendered against the appellant, the surety on the appeal bond shall be liable to the appellee for the whole amount of the debt, costs and damages recovered against the appellant not to exceed the amount of the bond. All provisions of law relative to appeals from judgments of justices of the peace to the court of common pleas not inconsistent with this act shall apply to appeals from the municipal court, except that no pleadings other than the original papers aforesaid shall be required in the court of common pleas, unless ordered by said court to be filed therein.

Sec. 1579-540. The judges shall appoint a bailiff and such deputy bailiffs as they may deem necessary. Such bailiff and deputy bailiffs shall perform for the municipal court services similar to those usually performed by the sheriff and his deputies for the court of common pleas and by constables for justices of the peace, with all the powers of such officers, and shall perform such other duties as may be required by rule of court. The salary of the bailiff and deputy bailiffs shall be fixed by the judges, not to exceed one thousand five hundred dollars per annum for the bailiff and one thousand two hundred dollars for each deputy bailiff, payable in monthly installments out of the treasury of the city of Akron. Before entering upon the duties of their offices, the bailiff and deputy bailiffs shall each give bond to the city of Akron, the bailiff in the sum of three thousand dollars and the deputy bailiffs each in the sum of two thousand dollars, with surety to the approval of the judges, conditioned for the faithful performance of their duties as such bailiff and as such deputy bailiffs, respectively. Each of said bonds shall be given for the benefit of the city of Akron and of any person who shall suffer loss by reason of a default in any of the conditions of said bond.

Appointment of  
bailiff and  
deputies.

Sec. 1579-542. All deputy clerks, the bailiff and all deputy bailiffs shall hold their offices during the pleasure of the appointing power. Whenever a deputy clerk, the bailiff or a deputy bailiff shall be temporarily absent or incapacitated from acting the judges may appoint a substitute, who shall have the qualifications required of the incumbent of the office. Such appointee shall serve until the return of the regular incumbent or until his incapacity ceases. Such substitute shall be paid for the time he shall serve in the same manner and at the same rate as the officer so temporarily absent or incapacitated, and the amount so paid shall be deducted from the salary of the officer so temporarily absent or incapacitated.

Term of offices  
of clerks and  
bailiffs.

SECTION 2. That said original sections 1579-501, 1579-504, 1579-506, 1579-513, 1579-515, 1579-516, 1579-519, 1579-534, 1579-540 and 1579-542 be, and the same hereby are repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

F. E. WHITEMORE,  
*President pro tem of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

215 G.

[Senate Bill No. 248.]

### AN ACT

To further supplement section 3939 of the General Code by the enactment of additional section 3939-2 granting any municipality authority to issue bonds to provide for the protection of state property by the extension of the waterworks system of said municipality.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 3939 of the General Code be further supplemented by the enactment of additional section 3939-2 to read as follows:

Protection of state property by extension of waterworks system.

Sec. 3939-2. When a municipal corporation has within or bordering on its boundaries property belonging to the state of Ohio, the council of said municipal corporation, by an affirmative vote of not less than two-thirds of the members elected or appointed thereto, by resolution or ordinance, may issue and sell bonds in such amounts and denominations, for such period of time, at such rate of interest, not exceeding six per cent, and in the manner authorized by law, to provide for the protection of said property belonging to the state or any buildings erected thereon by the extension of the waterworks system of said municipal corporation to, into or through said property belonging to the state.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

216 G.



[House Bill No. 151.]

## AN ACT

To amend sections 2856 and 2866 of the General Code and to supplement section 2856 of the General Code by the enactment of sections 2856-1, 2856-2 and 2856-3, relative to the powers and duties of coroner.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 2856 of the General Code be amended and supplemented by the enactment of sections 2856-1, 2856-2 and 2856-3 and section 2866 be amended to read as follows:

Sec. 2856. When informed that the body of a person whose death is supposed to have been caused by unlawful or suspicious means has been found within the county, the coroner shall appear forthwith at the place where the body is, issue subpoenas for such witnesses as he deems necessary, administer to them the usual oath, and proceed to inquire how the deceased came to his death, whether by violence from any other person or persons, by whom, whether as principals or accessories before or after the fact, and all circumstances relating thereto. The testimony of such witnesses shall be reduced to writing, by them respectively subscribed except when stenographically reported by the official stenographer of the coroner, and, with the finding and recognizances hereinafter mentioned if any, returned by the coroner to the clerk of the court of common pleas of the county. If he deems it necessary, he shall cause such witnesses to enter into recognizance, in such sum as may be proper, for their appearance at the succeeding term of the court of common pleas of the county to give testimony concerning the matter. The coroner may require any and all such witnesses to give security for their attendance, and if they or any of them neglect to comply with his requirements, he shall commit such person to the prison of the county, until discharged by due course of law. A report shall be made from the personal observation of the corpse; statements of relatives, of other persons having adequate knowledge of the facts, and such other sources of information as may be available or by autopsy if such autopsy is authorized by the prosecuting attorney of the county.

Inquest and  
proceedings by  
coroner; report. •

Sec. 2856-1. In counties in which there is maintained a county morgue the coroner shall be the official custodian thereof. He shall be authorized to appoint necessary assistant custodians for such morgue and prescribe their duties.

Coroner custodian of morgue; removal to.

In all cases of the finding of a dead body within such county when the identity of such deceased person is unknown, or his relatives or other persons entitled to the custody of the body are unknown or not present, such body shall be removed to the county morgue, there to be held for identification and disposal according to law.

Official stenographer-secretary in certain counties.

Sec. 2856-2. In counties having a population according to the last federal census, of 100,000 or more, the coroner may appoint in writing an official stenographer-secretary who shall record the testimony of witnesses in attendance upon the coroner's inquests and preserve and file properly indexed records of all official reports, acts and communications of the office, and perform such other services as may be required by the coroner. For the performance of such duties such appointee shall receive a monthly salary of one hundred and fifty dollars, payable from the general county fund upon the warrant of the county auditor to be issued upon presentation by voucher duly certified by the coroner.

Records open to public inspection.

All records in the coroner's office shall be open to inspection by the public, and any person shall be entitled to receive a copy of any such record or part thereof upon demand and payment of transcript fee at the rate of fifteen cents per hundred words.

Assistant custodians.

In counties where there is maintained a county morgue, the coroner may also appoint necessary assistant custodians of the morgue, in no case to exceed three in number, whose compensation shall be the sum of one hundred and twenty-five dollars, payable out of the general county fund upon the warrant of the county auditor to be issued upon presentation of voucher duly certified by the coroner.

Qualifications required of coroner in certain counties: compensation.

Sec. 2856-3. In counties having a population according to the last federal census of 100,000 or more, no person shall be eligible to the office of coroner except a licensed physician of good standing in his profession. For his services in the performance of an autopsy under section 2856 of the General Code the coroner shall receive a fee of \$20.00 and for decomposed or infected bodies \$40.00 to be paid from the county treasury in the same manner as other fees of the office.

Schedule of fees.

Sec. 2866. Coroners shall be allowed the following fees: For view of dead body, three dollars; for drawing all necessary writings, for every one hundred words, ten cents; for traveling each mile, ten cents; when performing the duties of sheriff, the same fees as are allowed to sheriffs for similar services.

SECTION 2. That original sections 2856 and 2866 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

[Amended Senate Bill No. 4.]

## AN ACT

To supplement section 12402 of the General Code by supplemental section 12402-1, to further protect the lives of police officers.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12402 of the General Code be supplemented by a supplemental section to be known as section 12402-1, to read as follows:

Sec. 12402-1. Whoever purposely and wilfully kills a sheriff, deputy sheriff, constable, policeman or marshal, while such sheriff, deputy sheriff, constable, policeman or marshal is in the discharge of his duties, is guilty of murder in the first degree and shall be punished by death unless the jury trying the accused recommend mercy, in which case the punishment shall be imprisonment in the penitentiary during life.

Killing police officer; penalty.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

218 G.

[Amended Senate Bill No. 170.]

## AN ACT

To provide for the display and protection of the Ohio battle flags used in the World War.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. There is hereby appropriated from any funds now in the state treasury and not otherwise appropriated, a sum not to exceed fifteen thousand (\$15,000.00) dollars to be used for purchasing and installing hermetically sealed wall cases with glass fronts, in an appropriate place in the rotunda or corridors of the state house, in which all the battle flags carried by the Ohio soldiers, sailors or marines in the world war shall be displayed. Said cases shall be of architectural design to harmonize with the design of that part of the building in which the cases are to be located. Said cases shall be purchased and installed by a committee consisting of the governor, the auditor of state and the adjutant general. The flags shall be placed under the direction of the fore-

Cases for Ohio battle flags used in the world war; appropriation.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

going committee acting in conjunction with a committee of three veterans of the world war to be selected by the executive committee of the American Legion, Department of Ohio, which committee of three veterans of the world war shall serve without expense to the state of Ohio. Said funds shall be paid out on a voucher issued by the auditor of state and approved by the governor.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
*Attorney General.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

219 G.

[Amended Substitute Senate Bill No. 34.]

## AN ACT

To amend sections 7246, 7248, 7248-1, 7248-2, 7249 and 7251 of the General Code, and to regulate the use of the highways and to limit loads carried on trucks and vehicles and to provide a method of measuring the width, construction and use of tires of trucks and vehicles.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 7246, 7248, 7248-1, 7248-2, 7249 and 7251 of the General Code be amended to read as follows:

Maximum load on road or street.

Sec. 7246. (Maximum load on road or street.)

No traction engine or steam roller weighing in excess of twelve tons, or no trailer, wagon, truck, automobile truck or other power vehicle, whether propelled by muscular or motor power, weighing in excess of ten tons, including weight of vehicle, object or contrivance and load, shall be operated over and upon the improved public streets, highways, bridges or culverts within the state, except as hereinafter provided. This provision shall not apply to vehicles run upon rails or tracks or to fire engines, fire trucks or other vehicles or apparatus belonging to any municipal or volunteer fire department or used by such department in the discharge of its functions. No object shall be moved over or upon such streets, highways, bridges or culverts upon wheels, rollers or otherwise, except as hereinafter provided, in excess of a total weight of twelve tons including weight of vehicle, object or contrivance and load with not more than thirty-five per cent of the weight of the load concentrated on any one wheel.

If in the judgment of the deputy highway commissioner or county surveyor of any county in the state a main market or intercounty highway, or section thereof, would be damaged or destroyed by heavy traffic during the period when moisture is under, in or upon said main market or inter-county highway, such limitation of weight of vehicle and load as above provided may, with the consent of the state highway commissioner, be reduced by said deputy highway commissioner or county surveyor during such period of moisture to such weight as may in the judgment of said deputy highway commissioner or county surveyor be carried over such road without undue damage thereto, and the said deputy highway commissioner or county surveyor shall cause to be placed and retained on said highway or section thereof, during the period of such reduced limitation, two or more signs of substantial construction which will conspicuously indicate the limitation of weight of vehicle and load which will be allowed on such highway or section thereof. The expense of the purchase and erection of signs provided for in this section shall be paid from funds for the maintenance and repair of the state highway department.

Period during which weight of vehicles and load may be further limited.

The deputy highway commissioner or county surveyor may in like manner during the same period reduce the maximum weight which shall be allowed vehicles with loads using improved highways, or sections thereof, within the county, other than main market and inter-county highways and highways or streets located within any municipal corporation or corporations.

Sec. 7248. No person, firm or corporation shall transport over the improved public streets, alleys, highways, bridges or culverts within this state, in any vehicle propelled by either muscular, motor or other power, any burden, including weight of vehicle and load, greater than the following:

Weight of load on highways and bridges and width of tires prescribed.

In vehicles having metal tires three inches (3") or less in width a load of five hundred (500) pounds for each inch of the total width of tire on all wheels. When the tires on such vehicles exceed three inches in width an additional load of eight hundred (800) pounds shall be permitted for each inch by which the total width of the tires on all vehicles exceeds twelve inches (12").

In vehicles having tires of rubber or other similar substance, a load of six hundred and fifty (650) pounds for each inch of the total width of tires on all wheels. The total width of a tire on a wheel shall be, in case of solid tires of rubber or other similar substance, the actual width in inches of all such tires between the flanges at the base of the tires, but in no event shall that portion of the tire coming in contact with the road surface be less than two-thirds the width so measured between the flanges. And in the case of pneumatic tires of rubber or other similar substance, the total width of all tires on all wheels

shall be the actual average diameter of all such tires measured when inflated.

In no event shall the load, including the proportionate weight of vehicle that can be concentrated on any wheel exceed six hundred and fifty (650) pounds to each inch in width of the tread as defined above for solid tires; or each inch in the average diameter of pneumatic tires measured when inflated.

The provisions of this section shall not apply to metal tire horse drawn vehicles when in use upon the streets or thoroughfares of cities and villages, except such streets and thoroughfares therein as have been or may hereafter be, improved by the state or county.

Limitations of  
load on one axle

Sec. 7248-1. No vehicle having more than seventy per cent of the gross weight of vehicle and load on any one axle, no vehicle having a gross weight, including load, greater than fourteen thousand pounds on both wheels of one axle, and no vehicle equipped with solid rubber tires averaging less than seven-eighths of an inch in thickness for tires of five inches and less in width, nor less than one inch in thickness for tires of more than five inches, but not exceeding eight inches in width, nor less than one and one-eighth inches in thickness on tires of more than eight inches in width, shall be operated upon the improved highways, streets, bridges or culverts within this state. Thickness of solid rubber tires as used herein shall be the average thickness of rubber measured from the top of the flanges of the tire channel.

Width, height  
and length of  
vehicles on high-  
ways prescribed.

Sec. 7248-2. No vehicle shall be operated upon the highways of this state whose width, is greater than ninety-six inches, except traction engines whose width shall not exceed one hundred and thirty-two inches, and no vehicle shall be operated on the highways of a greater height than twelve feet six inches, or of a greater length than thirty feet, and no combination of vehicles coupled together shall be so operated whose total length, including load, shall be greater than eighty-five feet, provided that in special cases vehicles whose dimensions exceed the foregoing may operate under a written permit granted as provided in this chapter. Provided that this section shall not apply to fire engines, fire trucks, or other vehicles or apparatus belonging to any municipal volunteer fire department or salvage company organized under the laws of Ohio or used by such department or company in the discharge of its functions.

Maximum load  
and speed of ve-  
hicles on roads  
and streets  
prescribed.

Sec. 7249. No commercial cars of the kinds and weights enumerated in this section shall be operated in the business and closely built up portions of a municipality or in any other portions thereof, or outside of municipalities at a greater rate of speed than herein described:

1. No vehicle, equipped with iron or steel tires, of three inches or less in width having a load of over five hundred pounds for each inch of total width of the tires on all wheels concentrated upon the surface of the road, shall be

operated upon the highways of this state. When the tires on such vehicles exceed three inches in width an additional load of eight hundred pounds shall be permitted for each inch by which the total width of the tires on all wheels exceeds twelve inches. No vehicle equipped with iron or steel tires carrying a gross weight of vehicle and load in excess of twelve thousand pounds shall be operated upon any street, highway, bridge or culvert at a speed greater than ten miles an hour.

2. No vehicle equipped with solid rubber tires shall be operated upon the public streets and highways at a greater rate of speed than the following:

When the combined weight of vehicle and load is less than five tons, twenty miles per hour; when the combined weight of vehicle and load is not less than five tons or more than eight tons, fifteen miles per hour; when the combined weight of vehicle and load is more than eight tons and not more than ten tons, twelve miles per hour.

3. No motor truck equipped with pneumatic rubber tires shall be operated upon the public streets and highways at a greater rate of speed than the following:

When the combined weight of vehicle and load is less than five tons, twenty-five miles per hour; when the combined weight of vehicle and load is not less than five tons or more than eight tons, twenty miles per hour; when the combined weight of vehicle and load is more than eight tons and not more than ten tons, fifteen miles per hour.

Sec. 7251. Any person violating any provision of law relating to or regulating the use of the public highways shall be liable for all damages resulting to any street, highway, bridge or culvert by reason of such violation. In case of any injury to a street, highway, bridge or culvert such damages shall be collected by civil action brought in the name of the state on the relation of the state highway commissioner and it shall be the duty of the attorney general or prosecuting attorney of any county to institute such action when so requested by the state highway commissioner and to prosecute the same to final judgment. In case of any injury to an improved public road, bridge or culvert of a county such damages shall be recovered by a civil action prosecuted by the county commissioners, and in the case of an injury to an improved public street, highway, bridge or culvert of a municipal corporation, it shall be the duty of the proper authorities of such municipal corporation to institute an action for the recovery of such damages. All damages collected under the provisions of this section shall be paid into the treasury of the state or proper political sub-division thereof, and credited to any fund for the repair of streets, highways, bridges or culverts.

Any violation of the provisions of this act shall be deemed a misdemeanor and on conviction thereof before any court in the state of Ohio authorized to prosecute for misdemeanors, the party or parties so convicted shall be

Liability for damage: prosecution for violations; application of moneys; deputies for enforcement of law.

fined not more than one hundred dollars nor less than twenty-five dollars for the first offense, and not more than one thousand dollars nor less than one hundred dollars for a second or subsequent offense. And either the owner or the operator of any vehicle or vehicles enumerated in this act shall be deemed to be the offender and may be prosecuted for any such violation at the discretion of the proper authorities having jurisdiction in the premises.

The sheriff of any county is hereby authorized to detail one or more deputies for the special work of enforcing the provisions of this act for such periods of time and in such manner as he shall deem necessary; and the county commissioners of any county are hereby authorized to appropriate such amount of money, annually, from the ROAD FUND of such county as shall be deemed necessary to compensate such deputy or deputies for services rendered hereunder.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 13, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

220 G.

[House Bill No. 146.]

## AN ACT

To amend sections 12719 and 12720 of the General Code, and to add supplemental section 12720-1, relative to the sale of pure milk, skimmed milk and standardized milk.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 12719 and 12720 of the General Code be amended to read as follows:

Misrepresentation as to pure milk.

Sec. 12719. Whoever sells, exchanges, delivers or has in his custody or possession with intent to sell or exchange, or exposes or offers for sale as pure milk, any milk from which the cream or part thereof has been removed, shall be fined not less than fifty dollars or more than two hundred dollars. For a second offense he shall be fined not less than one hundred dollars nor more than three hundred dollars or imprisoned in the jail or workhouse not less than thirty days nor more than sixty days, and, for a subsequent offense, shall be fined fifty dollars and imprisoned in the jail or workhouse not less than sixty days nor more than ninety days.



The provisions of this chapter shall not be construed to prohibit the sale, exchange or delivery or having in custody or possession with intent to sell, exchange or deliver, standardized milk, which is milk of which the original fat content has been changed by partial skimming or by the addition of skimmed milk, cream or milk rich in fat, and which contains not less than three and one-half per cent of milk fats and twelve per cent total solids, if the can or vessel containing such milk be labeled standardized milk and the percentage of butter fat contained in such milk or in unstandardized milk sold at retail and be plainly stated on the label permitting a two-tenths of one per cent tolerance on one or more bottles, cans or vessels, but an average of twenty-five bottles, vessels or cans shall contain the required stipulated percentage of fat.

Standardized milk not prohibited, when labeled.

Sec. 12720. Whoever sells, exchanges, delivers or has in his custody or possession with intent to sell, exchange or deliver, milk from which the cream or part thereof has been removed, except standardized milk complying with the provisions of section 12719, unless in a conspicuous place above the center and upon the outside of each vessel, can or package, from which or in which such milk is sold, the words "skimmed milk" are distinctly marked in uncondensed Gothic letters not less than one inch in length, shall be fined not less than fifty dollars nor more than two hundred dollars.

"Skimmed milk" must be so labeled.

Sec. 12720-1. The price paid to the producers of milk by the dealers or manufacturers shall be based upon milk containing 3.5 per cent butter fat; and a differential may be paid which should be greater for milk containing more than 3.5 per cent butter fat and less for milk containing less than 3.5 per cent butter fat. And whoever is guilty of a violation of this provision shall be fined not less than fifty dollars nor more than two hundred dollars.

Price paid producers based upon percentage of butter fat.

SECTION 2. That said original sections 12719 and 12720 of the General Code be, and the same are hereby repealed.

sectional  
abers in this  
are in com-  
mity to the  
eral Code.  
EN G. PRICE,  
orney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.  
Approved June 7th, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

221 G.

[House Bill No. 180.]

## AN ACT

To amend sections 4679, 4688, 4708, 4747, 4763, 7610-1, 7679, 7703, and 7731-1 and to supplement section 7838 of the General Code by the enactment of supplemental section 7838-1, relative to exempted village school districts.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 4679, 4688, 4708, 4747, 4763, 7610-1, 7679, 7703 and 7731-1 of the General Code be amended and supplemental section 7838-1 be added to read as follows:

School districts  
classified.

Sec. 4679. The school districts of the state shall be styled, respectively, city school districts, exempted village school districts, village school districts, rural school districts and county school districts.

What school dis-  
tricts may be-  
come exempt  
from county  
supervision.

Sec. 4688. The board of education of any village school district containing a village which according to the last census had a population of three thousand or more, may by a majority vote of the full membership thereof decide to be exempted from the supervision of the county board of education. Such village school district by notifying the county board of education of such decision before May first in any year, shall be exempt from the supervision of the county board of education for the following school year which begins September first thereafter. The village once so exempted shall be styled an exempted village school district and shall remain so until the board of education thereof by a majority vote of the full membership determines that it desires to be supervised by the county board of education and notifies the county board of education on or before May first in any year to that effect.

Board of educa-  
tion in exempted  
and village dis-  
tricts.

Sec. 4708. In exempted village school districts and in village school districts, each board of education shall consist of five members elected at large at the same time as municipal officers are elected and in the manner provided by law.

Date of organi-  
zation; regular  
meetings.

Sec. 4747. The board of education of each city, exempted village, village and rural school district shall organize on the first Monday of January after the election of members of such board. One member of the board shall be elected president, one as vice-president and a person who may or may not be a member of the board shall be elected clerk. The president and vice-president shall serve for a term of one year and the clerk for a term not to exceed two years. The board shall fix the time of holding its regular meeting.

Treasurer of the  
school funds.

Sec. 4763. In each city school district, the treasurer of the city funds shall be the treasurer of the school funds. In all exempted village, village and rural school districts which do not provide legal depositories as provided in sections 7604 to 7608 inclusive, the county treasurer shall be the treasurer of the school funds of such district.

Sec. 7610-1. If the board of education in a district under the supervision of the county board of education fails to provide sufficient school privileges for all the youth of school age in the district, or to provide for the continuance of any school in the district for at least thirty-two weeks in the year, or to provide for each school an equitable share of school advantages as required by this title, or to provide suitable school houses for all the schools under its control, or to elect a superintendent or teachers, or to pay their salaries, or to pay out any other school money, needed in school administration, or to fill any vacancies in the board within the period of thirty days after such vacancies occur, the county board of education of the county to which such district belongs, upon being advised and satisfied thereof, shall perform any and all such duties or acts, in the same manner as the board of education by this title is authorized to perform them. But in a city district, or in an exempted village district, the probate court, or in counties in which the probate court and the court of common pleas have been combined, the court of common pleas, upon being advised and satisfied thereof, shall act instead of the county board of education. All salaries and other money so paid by the county board of education, or by the probate court, or by the court of common pleas, shall be paid out of the county treasury from the general fund on vouchers signed by the president of the county board of education, or by the judge of the probate court, or by the judge of the court of common pleas, as the case may be, but they shall be a charge against the school district for which the money was paid. The amount so paid shall be retained by the county auditor from the proper funds due to such school district, at the time of making the semi-annual distribution of taxes.

County board may act on neglect or failure of district board.

Sec. 7679. In any rural, village, exempted village, or city district, or part thereof, parents or guardians of youth of school age may petition the board of education to organize an evening school. The petition must contain the names of not less than twenty-five youth of school age who will attend such school, and who for reasons satisfactory to the board are prevented from attending day school. Upon receiving such petition the board of education shall furnish a suitable room for the evening school and employ a competent person who holds a regularly issued teacher's certificate to teach it. Such board may discontinue any such evening school when the average evening attendance for any month falls below twelve.

Organization of evening schools; petition.

Sec. 7703. Upon his acceptance of the appointment, such superintendent, subject to the approval and confirmation of the board, may appoint all the teachers, and for cause suspend any person thus appointed until the board or a committee thereof considers such suspension, but no one shall be dismissed by the board except as provided in section seventy-seven hundred and one. But any city or exempted village board of education, upon a three-fourths

Powers and duties of superintendent.

vote of its full membership, may re-employ any teacher whom the superintendent refuses to appoint. Such superintendent shall visit the schools under his charge, direct and assist teachers in the performance of their duties, classify and control the promotion of pupils, and perform such other duties as the board determines. He must report to the board annually, and oftener if required, as to all matters under his supervision, and may be required by it to attend any and all of its meetings. He may take part in its deliberations but shall not vote.

Depots designated where transportation provided.

Sec. 7731-1. The boards of education of city, exempted village, village or rural school districts may by resolution designate certain places as depots from which to gather children for transportation to school, when such districts provide transportation. The places designated as depots shall be provided with a shelter and be made comfortable during cold and stormy weather. Such depots shall in no case be more than one-half mile from the residence or the private entrance to such residence of pupils who are compelled to use such depots.

Board of school examiners may be provided in exempted school district; laws applicable.

Sec. 7838-1. The board of education of an exempted village school district may by resolution provide for a board of school examiners. Such board shall consist of the superintendent of schools of the district and two other competent teachers serving full time in the day schools of such district, to be appointed by the board of education of the district. The term of office of such examiners shall be two years each, one to be appointed each year; and shall expire on the thirty-first day of August. All sections of the General Code that confer authority upon a city board of examiners shall apply to the board of school examiners for an exempted village school district. Teachers employed in an exempted village school district in which no board of school examiners has been provided for by the board of education shall be examined by the county board of school examiners of the county in which the district is located.

Repeals.

SECTION 2. That original sections 4679, 4688, 4708, 4747, 4763, 7610-1, 7679, 7703 and 7731-1 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

222 G.

[Amended Senate Bill No. 142.]

## AN ACT

To establish a municipal court for the city of Piqua, Miami county, Ohio, and fixing the jurisdiction thereof, and providing for a judge thereof, and other necessary officers, and defining their powers and duties.

*Be it enacted by the General Assembly of the State of Ohio;*

ec. 1579-560.

SECTION 1. That there be and hereby is created a court of record in and for the city of Piqua and the townships of Washington, Springcreek and Brown in the county of Miami, and state of Ohio, to be styled "The Municipal Court of Piqua, Ohio" (the jurisdiction thereof, to be as herein and hereinafter fixed and determined).

Municipal court for Piqua and certain townships, established.

ec. 1579-561.

SECTION 2. Said municipal court shall be presided over by one judge, to be designated herein as a "municipal judge," which office is hereby created, and whose term of office shall be for a period of four years, and said judge shall receive such compensation, payable out of the treasury of Miami county, not less than twelve hundred dollars per annum, payable monthly, as the county commissioners may prescribe, and out of the treasury of Washington township, Miami county, Ohio, not less than two hundred dollars, per annum, payable monthly as the township trustees may prescribe, and out of the treasury of Springcreek township, Miami county, Ohio, not less than one hundred dollars per annum, payable monthly, as the township trustees may prescribe, and out of the township of Brown, Miami county, Ohio, not less than one hundred dollars per annum, payable monthly, as the township trustees may prescribe, and such further compensation, not less than eight hundred dollars per annum, payable in monthly installments out of the treasury of the city of Piqua, Ohio, as the council or legislative authority may prescribe, provided the salary at no time shall exceed three thousand dollars. Said municipal judge at the time of his election or appointment and during the continuance of his office shall be a qualified elector and resident of either the city of Piqua or the townships of Washington, Springcreek, or Brown, county of Miami, and state of Ohio, and have been admitted to the practice of law and shall have been in the active practice of law in the state of Ohio, for not less than five years immediately preceding his qualification, said judge shall be elected at the next regular municipal election after the going into effect of this act, for a term of four years, commencing on the first day of January next after said election and shall hold said office until his successor is elected and duly qualified. Such election shall be held and conducted and returns thereof made as in the case of the election of city and judicial offices.

Municipal judge: qualifications, election, term, salary, etc.

Sec. 1579-562.

SECTION 3. Said municipal court herein established shall have jurisdiction of any offense under any ordinance of the city of Piqua, Ohio, and of any misdemeanor com-

Jurisdiction of court.

mitted within the limits of the city of Piqua and townships of Washington, Springcreek and Brown, Miami county, Ohio, to hear and determine the same and impose the prescribed penalty; and cases in which the accused is entitled to a trial by jury, shall be tried by the judge of said municipal court, unless a jury be demanded as hereinafter provided; and in felonies committed within Miami county, Ohio, such court shall have power to hear the case and discharge, recognize or commit, and, if upon such hearing the court is of the opinion that the offense is only a misdemeanor, a plea of guilty of such offense may be received and sentence and judgment pronounced; and in addition thereto said municipal court shall have ordinary civil jurisdiction within the limits of the said city of Piqua and townships of Washington, Springcreek and Brown, in said county of Miami, and state of Ohio, in the following cases:

(1) In all actions and proceedings of which justices of the peace, or such courts as may succeed justice of the peace courts, have or may be given jurisdiction.

(2) In all actions and proceedings at law for the recovery of money and of personal property of which the court of common pleas has or may be given jurisdiction, when the amount claimed by a party, or the appraised value of the personal property sought to be recovered does not exceed seven hundred and fifty dollars, and in such actions, judgment may be recovered for over seven hundred and fifty dollars, when the amount over seven hundred and fifty dollars shall consist of interest or damages, or costs accrued after the commencement of the action.

(3) All actions on contracts express or implied, when the amount claimed by the plaintiff, exclusive of all costs, does not exceed seven hundred and fifty dollars. When a cause arising out of a contract is pending in the municipal court and when the ends of justice demand that the contract be reformed or rescinded, the municipal court shall have jurisdiction to decree such reformation or rescission.

(4) All actions or proceedings whether legal or equitable to enforce the collection of its own judgments.

(5) All actions for the sale of personal property under chattel mortgage, lien or other charges of incumbrance upon personal property, and for marshalling of all liens thereon, when the appraised value of such property shall not exceed seven hundred and fifty dollars.

(6) All actions and proceeds for the sale of personal property under lien of judgment of the municipal court or lien for material or fuel furnished or labor performed and for the marshalling of all liens thereon.

(7) All actions and proceedings in the nature of creditor's bills in aid of execution, to subject the interest of a debtor in real or personal property to the payment of a judgment of the municipal court.

(8) All actions and proceedings in the nature of interpleader and involving seven hundred and fifty dollars

or less, but parties may interplead as to larger amounts in any action originally instituted, involving seven hundred and fifty dollars or less.

Sec. 1579-563.

SECTION 4. The municipal court shall have jurisdiction within the limits of Miami county, Ohio:

(1) To compel attendance of witness in any pending action or proceeding.

Jurisdiction  
within limits of  
Miami county.

(2) To issue execution on its own judgments.

(3) In all actions and proceedings whether legal or equitable to enforce the collection of its own judgments.

(4) In all actions and proceedings where one or more defendants reside or is served with summons in the townships of Washington, Springcreek and Brown, county of Miami, state of Ohio.

(5) In all causes the municipal court shall have jurisdiction in every ancillary and supplemental proceeding, before and after judgment, including attachment, interpleader, aid of execution and the appointment of a receiver, for which authority is now, or may hereafter be conferred upon court of common pleas, or a judge thereof, or upon justices of the peace.

(6) The municipal court shall have jurisdiction upon the application of a debtor, to appoint a trustee to receive that portion of the personal earnings of the debtor, which, as against claims for necessities, is not exempt from execution, attachment, or proceedings in aid of execution, and such additional sums as the debtor may voluntarily pay or assign to said trustee, and to distribute the money pro rata among creditors having claims for necessities against the debtor at the time of application.

When a trustee shall be so appointed, no proceeding in attachment, aid of execution or otherwise to subject the personal earnings of the debtor to payment of claims for necessities shall be brought or maintained by any creditor having a claim against such debtor at the time of the application herein, before any justice of the peace or in any court, so long as at least fifteen per centum of the personal earnings of such debtor is paid to the trustee at regular intervals, as fixed by the court; provided, however, this provision shall not be construed to prohibit creditors from recovering judgments against the debtor nor to prohibit levy, under a writ of attachment or execution, upon any other property which is not exempt from execution.

The maintaining of a proceeding in attachment, aid of execution or otherwise, in violation of the foregoing provision, may be prevented by a writ of prohibition, in addition to all other remedies provided by law.

The municipal court may provide, by rule, for notice to creditors, the authentication and adjudication of claims, the time and manner of payment by the debtor, the distribution of the fund, the bond and the trustee, if required, and for all other matters necessary or proper to carry into effect the jurisdiction conferred by this section. The court

shall designate the clerk of the municipal court, trustee, without additional compensation and his official bond shall be construed as conditioned upon the fulfillment of the trust, and no additional bond shall be required.

Sec. 1579-564.

Misdemeanor  
and violation of  
city ordinances.

SECTION 7. The municipal court shall have jurisdiction of all misdemeanors and of all violations of city ordinances of which police courts or the mayor in municipalities or a justice of the peace now have or may hereafter be given jurisdiction. In felonies the municipal court shall have the power which police courts or the mayor in municipalities or a justice of the peace now have or may hereafter be given.

Sec. 1579-565.

Bastardy and  
quasi-criminal  
actions; procedure.

SECTION 8. The municipal court shall have jurisdiction of all bastardy cases the same as justices and common pleas courts now have and other quasi-criminal actions and proceedings of which a court of a justice of the peace now has or may hereafter be given jurisdiction; and in all such actions the practice and procedure and the powers of the court in relation thereto shall be the same as those which are now or may hereafter be possessed by a court of a justice of the peace.

Sec. 1579-566.

Laws applicable.

SECTION 9. In the actions and proceedings of which the municipal court has jurisdiction, all laws conferring jurisdiction upon a court of common pleas, a police court or a justice of the peace or the mayor, giving such court or officer power, to hear or determine such causes, prescribing the force and effect of their judgments, orders or decrees, and authorizing and directing the execution or enforcement thereof, shall be held to extend to the municipal court, unless inconsistent with this act or plainly inapplicable.

Sec. 1579-567.

When Excess  
may be remitted  
or withheld and  
judgment rendered.

SECTION 10. When the amount due to either party exceeds the sum for which the municipal court is authorized to enter judgment, such party may remit the excess, and judgment may be entered for the residue. Defendant need not remit such excess, and may withhold setting it off. A recovery for the amount set off and allowed, or any part of it, shall not be a bar to his subsequent action for the amount withheld.

Sec. 1579-568.

When proceedings  
certified to  
common pleas  
court.

SECTION 11. Whenever the appraised value of the property sought to be recovered or sold (save in the excepted instances heretofore set forth) in any action in the municipal court exceeds seven hundred and fifty dollars, the judge of the municipal court shall certify the proceedings in the case to the court of common pleas of Miami county, Ohio, and thereupon the clerk of the municipal court shall file the original papers and pleadings together with a certified transcript of the docket and journal entries in the case, in the office of the clerk of said common pleas court. The bailiff shall turn over the property in his possession to the sheriff of Miami county, Ohio, to be by him held as in like cases originating in the court of common



pleas. The case must then proceed as if it had been commenced in said common pleas court.

Sec. 1579-569.

SECTION 12. Civil actions and proceedings in the municipal court shall be commenced as in the common pleas court, and an action shall be deemed pending so as to carry notice thereof to all persons from the delivery of the summons or writ by the clerk to the bailiff for service.

Commencement  
of civil actions;  
procedure.

(1) All writs and process in the municipal court shall be served and returned by the bailiff, or by the publication, or in case of foreign service in the same manner as is now, or may hereafter be provided by law for the service and return of writs and process in the court of common pleas. Where the manner of service is not so provided for, service and return may be made in the same manner provided by law for the service and return of process and writs issued by the common pleas court or a police court or a mayor or a justice of the peace.

(2) The return day shall be fixed by rule of court and the summons or writs shall, unless accompanied with an order to arrest, be served at least three days before the return day of the summons, writ or process.

(3) In all civil cases in the municipal court, the plaintiff before issuing a summons, shall file a petition setting out his statement of claim, and the defendant shall file an answer setting out a statement of any set-off, counter claim or defense which he may desire to assert or make. The statement of answer containing a statement of defense shall be filed in such cases, and within such time as may be required by rule of court. In such cases where an answer is required, the summons shall set forth the date when such answer shall be filed, as fixed by rule of court, which shall be not less than seven days after the return day of the summons, but the court may grant leave for further time to file such answer on good cause shown. The statement shall set forth in plain, direct language the facts constituting the cause of action, set-off, counter-claim or defense.

(4) To expedite the business and promote the ends of justice, said judge may from time to time adopt, publish and revise rules relating to the matter of practice and procedure, classify the causes of action in the court, and prescribe with reference to each class the degree of particularity with which a cause of action, set-off, counter-claim or a defense shall be set up. Until otherwise provided by rule of court and except as herein provided, the practice as to pleading and procedure shall be governed by the civil code of procedure provided for the common pleas court of the state.

Sec. 1579-570.

SECTION 13. In all criminal cases and proceedings the practice and procedure and the mode of bringing and conducting the procedure of defense and the powers of the court in relation thereto, shall be the same as those which are now, or may hereafter be, possessed by police courts or

Practice and  
procedure in  
criminal cases.

the mayor in municipalities unless as otherwise provided herein.

Sec. 1579-571.

Report to council, monthly.

SECTION 14. In addition to the exercise of all other powers of a judge and clerk of said court, they shall render a complete monthly report to the council of the city of Piqua covering the preceding month, and to the county commissioners, of all state cases, which report shall show the work performed by the court, a summary of all expenses of the civil and criminal branches of the court respectively, a statement of receipts and expenditures, the number of cases heard, decided and settled by the court, the number of decisions of the municipal court reversed or affirmed by a reviewing court. The conduct of the criminal branch shall be arranged by said judge, and for both the criminal and civil branches of said court he shall prescribe forms, establish a system for the docketing of causes, motions and demurrers, adopt and publish rules governing practice and procedure, not otherwise provided for in this act; and designate the mode of keeping and authenticating the records of proceedings had before him. The court may summon and empanel jurors, tax costs, compel the attendance of witnesses and parties, issue process, preserve order, punish for contempt, and exercise all powers which are now, or may hereafter be, conferred upon the court of common pleas or the judge thereof, or upon justices of the peace, or upon police courts of cities or judges thereof, or are necessary for the exercise of the jurisdiction herein conferred and for the enforcement of the judgments and orders of the court.

Summoning jurors, taxing costs, etc.

Sec. 1579-572.

What cases tried by court: what by jury.

SECTION 15. All causes in the municipal court, both civil and criminal, shall be tried to the court, unless a jury be demanded by a party entitled to the same. The time for making a demand for a jury in civil cases may be fixed and limited by rule of court. In all criminal cases, in which the accused is entitled to a jury trial, a demand for a jury trial must be made by the accused before the court shall proceed to inquire into the merits of the cause, otherwise a jury shall be deemed to be waived and the cause shall be tried by the court. In all civil actions where a jury shall be demanded, except as hereinafter provided, it shall be composed of six persons, resident of either said Washington, Springcreek and Brown townships, having qualifications of electors, unless the parties agree on a less number; provided, however, that when the amount claimed by any party or the appraised value of the personal property sought to be recovered exceeds the sum of three hundred dollars, either party may demand a jury of twelve persons by specifying that number in said written demand. In all actions and proceedings in said municipal court of which police courts in cities have or may hereafter be given jurisdiction, where a jury may be and is demanded, it shall be composed of twelve persons, residents of either said Washington, Springcreek and Brown townships, or of said city of Piqua, having the qualifications of electors. In all civil

actions a jury shall render a verdict upon the concurrence of three-fourths or more of their number.

ec. 1579-573.

SECTION 16. In all civil actions and proceedings, when the amount claimed by any party or the appraised value of the personal property sought to be recovered does not exceed three hundred dollars, the costs of summoning jurors and the fees of jurors shall be taxed as part of the costs, and such costs must be deposited or secured in advance by the party demanding a jury. In all civil actions and proceedings where the amount claimed by any party or the appraised value of the personal property sought to be recovered is in excess of three hundred dollars, the costs of summoning jurors and the fees of jurors shall be paid out of the treasury of the city of Piqua, Ohio, and charged to the appropriate fund for the payment of jurors serving in the common pleas court, and shall be collected from the county and distributed by the clerk of the municipal court; provided, however, that when the amount claimed by any plaintiff, or by any defendant by way of counter-claim or set-off, shall exceed the sum of three hundred dollars, and in such cases such claimant shall demand a jury and shall thereafter recover a verdict on his claim of less than fifty dollars, the fees of jurors shall be taxed against such party so demanding such jury as a part of the costs, and when collected such jury fees shall be paid to the county and credited to the appropriate fund for the payment of jurors serving in the common pleas court.

How fees and costs taxed.

ec. 1579-574.

SECTION 17. Jurors in civil cases shall be drawn and summoned in accordance with an ordinance of said city; or if no such ordinance is in force, then in the following manner; the municipal judge shall prepare a list of three times the number of jurors demanded, and the plaintiff and the defendant, or their respective agents or attorneys, shall each strike from said list alternately names equal to the number of said jury, and the persons whose names remain after said jury has been struck, shall be summoned as jurors in said case, but subject to challenges for such causes as are provided by law in the court of common pleas; and vacancies caused by excusing jurors so summoned, shall be filled from an additional list prepared by said municipal judge, which shall not include persons then in the court room.

How jurors drawn and summoned.

ec. 1579-575.

SECTION 18. In all cases the municipal court shall have the same authority to set aside a verdict or a judgment, as is now, or may hereafter be, conferred upon courts of common pleas.

Setting aside of verdict.

ec. 1579-576.

SECTION 19. The calendar of the municipal court shall be divided into four terms of three months each, beginning respectively, on the first day of January, April, July and October of each year. The judge of the municipal court may continue the session of any term of said court beyond the time fixed for the commencement of the next term, when such continuance is necessary to finish the trial of any

Calendar of court divided into four terms.

cause, or to receive the verdict or pronounce judgment in any cause, the trial of which has been commenced during the term.

Sec. 1579-577.

Lands, tenements, vested interests, etc., bound for judgments.

SECTION 20. All lands and tenements, including vested interests therein, and permanent leasehold estates, renewable forever, located within the townships of Washington, Springcreek and Brown, in the county of Miami, shall be bound for the satisfaction of any judgment rendered in the municipal court from the first day of the term at which judgment is rendered; but judgments by confession and judgments rendered at the same term at which the action is commenced shall bind such land, tenements, vested interests and permanent leaseholds, only from the day on which such judgments are rendered.

Sec. 1579-578.

Transcript to court of common pleas.

SECTION 21. The party in whose favor a judgment is rendered by the municipal court may file a transcript of such judgment in the office of the clerk of the common pleas court in the same manner and under the same conditions as are now, or may hereafter be, provided for filing of transcript of judgments rendered by justices of the peace; all provisions relative to transcripts of judgments and liens of judgment, rendered by justices of the peace, shall, in so far as applicable, be applied to transcripts of judgments and liens of judgments rendered by the municipal court.

Sec. 1579-579.

Enforcement of judgment lien; issue of execution.

SECTION 22. The lien of judgment of the municipal court may be enforced in the court of common pleas in the same manner as the lien of a judgment rendered by the court of common pleas. Execution may be issued on such judgments at any time after a transcript thereof has been filed, as if the judgment had been rendered by the court of common pleas; but all liens shall remain as provided in this act.

Sec. 1579-580.

Proof of records.

SECTION 23. The records of the municipal court may be proved by the production of the original records, or by a transcript thereof certified by the clerk of said court under its seal.

Sec. 1579-581.

Index of names of plaintiffs and defendants.

SECTION 24. The clerk of the municipal court shall make and maintain an alphabetical index of the names of all plaintiffs and defendants to suits filed in said court.

Sec. 1579-582.

Proceedings in error.

SECTION 25. Proceedings in error may be taken to the common pleas court of Miami county from a final judgment or order of the municipal court in the same manner and under the same conditions as provided by law for proceedings in error from the common pleas court, to the court of appeals.

Sec. 1579-583.

Decision of court pertaining to practice not error.

SECTION 26. No assignment of error in a reviewing court shall be allowed in any action which shall call in question the decision of the municipal court with reference to any matter pertaining to the practice in said court, provided, however, that the reviewing court may grant relief from error in the municipal court in respect to a matter of practice therein, in any case where in the opinion of the

reviewing court such relief is necessary to prevent a failure of justice.

Sec. 1579-584.

SECTION 27. The laws governing the court of common pleas as to security for costs except as herein otherwise provided for, pleadings and procedure, motions for new trial, vacations or modifications of judgments before and after terms, the referring of matters to a referee, the issuing of execution and the taking of depositions shall be held to apply so far as applicable to the municipal court. Provided, that a person against whom a judgment has been rendered in the municipal court may stay execution thereon by entering into a bond to the adverse party within ten days after rendition of such judgment, with sufficient surety, who shall be a freeholder owning real property situated in the county of Miami, and state of Ohio, or a corporation authorized to execute surety bonds in this state, approved by the clerk of court, and conditioned for the payment of the amount of such judgment, interest, costs and costs that accrue. Such bond shall be entered in the docket of the clerk of court and shall be signed by such surety. The giving of such bond shall in no manner impair the lien of judgment against the real estate of such judgment debtor.

Laws governing common pleas applicable.

The stay of execution hereby authorized shall be graduated as follows:

Stay of execution.

(1) On a judgment of fifty dollars and under, for thirty days.

(2) On a judgment exceeding fifty dollars but not exceeding five hundred dollars, for ninety days.

(3) On a judgment exceeding five hundred dollars, for one hundred and twenty days.

Sec. 1579-585.

SECTION 28. A clerk for said municipal court, which office is hereby created, shall be elected at the next regular municipal election after the going into effect of this act for a term of four years, commencing on the first day of January next after said election, and shall hold said office until his successor is duly elected and qualified, and he shall receive an annual salary of twelve hundred dollars. Eight hundred dollars of which shall be paid out of the treasury of the city of Piqua in monthly installments, and four hundred dollars to be paid out of the treasury of Miami county in monthly installments. Such election shall be held and conducted and returns thereof made as in case of the election of city officers. Council shall provide such deputy clerks as may be necessary, and fix their term of office, duties and compensation. The deputy clerks provided for shall be appointed by the municipal judge.

Election of clerk; salary.

Sec. 1579-586.

SECTION 29. The clerk of the municipal court shall have power to administer oaths and take affidavits and to issue execution upon any judgment rendered in the municipal court, including a judgment for unpaid costs; he shall have power to issue and sign all writs, processes and papers issuing out of the court, and to attach the seal of the court

Powers and duties of clerk.

thereto; shall have power to approve all bonds, recognizances and undertakings, fixed by any judge of the court or by law; shall file and safely keep all journals, records, books and papers belonging or appertaining to the court, record its proceedings and perform all other duties which the judge of the court shall prescribe. He shall pay over to the proper parties all moneys received by him as clerk; he shall receive and collect all costs, fines and penalties; he shall pay the same monthly to the treasurer of the city of Piqua and take his receipt therefore, except in state cases he shall pay over all cash and fines to Miami county, but money deposited as security for costs shall be retained by him pending the litigation; he shall keep a record showing all receipts and disbursements, which shall be open for public inspection at all times, and shall on the first Monday of each term of court make to the city auditor a report of all receipts and disbursements for the preceding term.

Sec. 1579-587.

Security for costs shall be recorded and monies deposited; unclaimed costs.

SECTION 30. All moneys deposited as security for costs, and all other moneys, other than costs paid into the municipal court, shall be noted on the record of the cause in which they are paid and shall be deposited by the clerk in such banking institutions as shall be designated by council, there to abide the order of the court and to bear interest at the best rate obtainable. On the first Monday in January of each year the clerk shall make a list of the titles of all cases in the municipal court which were finally determined more than one year past, in which there remains unclaimed in the possession of the clerk any of such funds, or any part of a deposit for security for costs not consumed by the costs in the case. The clerk shall give notice of the same to the parties entitled to said money, or to their attorneys of record. All such moneys remaining unclaimed on the first day of April of each year shall be paid by the clerk to the city treasurer, provided, however, that any part of such moneys shall be paid by such treasurer at any time to the person having the right thereto upon proper certificate of the clerk of court.

Sec. 1579-588.

Bond of clerk.

SECTION 31. Before entering upon the duties of his office, the clerk of the municipal court shall give a bond to the city of Piqua, Ohio, in the sum of five thousand dollars with surety to the approval of the municipal judge conditioned upon the faithful performance of his duties as such clerk. The said bond shall be given for the benefit of the city of Piqua, and for the benefit of any person who may suffer loss by reason of a default in any of the conditions of said bond. A vacancy in the office of the clerk of the municipal court shall be filled by the judge of said court, by appointment, until his successor is elected and qualified according to law.

Sec. 1579-589.

Appointment of bailiff; police officers, deputy bailiff.

SECTION 32. The bailiff shall be appointed by the judge of such court and hold office during the pleasure of the court, and may be removed at any time by the judge of the municipal court. Every police officer of the city of

Piqua shall be ex-officio a deputy bailiff of the municipal court and the chief of police shall assign one or more such police officers from time to time to perform such duties in respect to cases within the jurisdiction within said court as may be required of them by said court or the clerk thereof.

Sec. 1579-590.

SECTION 33. One bailiff shall be designated as herein-after provided for in this act. He shall perform for the municipal court, services similar to those usually performed by the sheriff for courts of common pleas and by the constable for courts of justices of the peace. Such bailiff shall receive such compensation not less than eight hundred dollars per annum, payable out of the treasury of the city of Piqua in monthly installments as the council may prescribe. Before entering upon his duties, said bailiff shall make and file in the office of the auditor of the city of Piqua, a bond in the amount of not less than two thousand dollars. The terms and sufficiency of said bond shall be subject to the approval of the judge of the court. The said bond shall be given for the benefit of the city of Piqua and of any person who shall suffer loss by reason of the default of any of the conditions of said bond. The bailiff shall receive from the treasury of the city of Piqua, in addition to his compensation his actual expense in serving processes of the court, not to exceed the sum of twenty-five dollars per month, payable upon the order of the municipal judge.

Duties of designated bailiff; bond.

Sec. 1579-591.

SECTION 34. In all actions, where the amount claimed by either party or the appraised value of the property sought to be recovered does not exceed three hundred dollars and except as herein provided in all actions where the municipal court has jurisdiction the same as that of a justice of the peace, the fee and costs shall be the same and taxed in the same manner as is now or may hereafter be provided for such actions before a justice of the peace. In all other actions the fees and costs shall be the same and taxed in the same manner as is now or may hereafter be provided for such actions in the court of common pleas. In criminal cases all fees and costs shall be the same as fixed with respect to police, or other municipal courts. The judge of the municipal court may by rule of court, provide for all cases not covered by this act, a standard of fees and costs not in excess of those provided by general laws. All payments and deposits for costs and jury shall be refunded when the same shall have been paid by the losing party.

Jurisdiction when amount does not exceed three hundred dollars.

Sec. 1579-592.

SECTION 35. The council of the city of Piqua shall provide suitable accommodations for the municipal court and its officers, including a private room for said judge and sufficient jury room. The council shall also provide for the use of the court the latest edition of the General Code of Ohio and necessary supplies, including telephone, furniture, stationery, heat and janitor services. The council may also provide for such other ordinary or extraordinary expense as it may deem advisable or necessary for the operation or administration of said court.

Accommodations for court provided.

Sec. 1579-593.

Seal of court.

SECTION 36. The said municipal court shall have a seal which shall have engraved thereon the coat of arms of the state and shall be approximately one inch in diameter and shall be surrounded by these words, "THE MUNICIPAL COURT OF PIQUA, OHIO," and shall have no other words or device engraved thereon.

Sec. 1579-594.

Solicitor shall be prosecuting attorney of the court.

SECTION 37. The solicitor for the city of Piqua shall also be prosecuting attorney of the municipal court. He may designate such number of assistant prosecutors as the council of the city of Piqua may authorize. The solicitor or the person thus appointed shall receive for their services in city cases such salary as the council may prescribe, and such additional compensation as the county commissioners may allow. The prosecuting attorney of the municipal court shall prosecute all cases of a criminal nature brought before such court and perform the same duties, as far as they are applicable thereto, as are required of the prosecuting attorney of the county. The council of the city of Piqua, by ordinance, shall provide for one or more official stenographers and fix their compensation, and provide for the payment of the same monthly out of the city treasury and the same shall be appointed by the judge of the municipal court and serve at his pleasure. The court shall regulate the charge for transcripts of testimony and the costs thereof shall be paid to the clerk and by him accounted for.

Sec. 1579-595.

Substitute, when judge absent or incapacitated.

SECTION 38. Whenever the incumbent of any office created by this act, excepting the municipal judge, shall be temporarily absent or incapacitated from acting, the judge shall appoint a substitute who shall have all the qualifications required of the incumbent of the office. Such appointee shall serve until the return of the regular incumbent, or until his incapacity ceases. In case said judge shall be incapacitated from sitting any case, or by reason of absence or inability to attend sessions of said court, the mayor of the city of Piqua may appoint some attorney-at-law having the qualifications required by this act, to act in his stead until said judge is able to resume his said position. Such appointment shall be certified by the court or mayor as the case may be and entered upon the record, provided, however, that in the event of a member of the bar receiving the appointment, nothing contained in this act or in other laws of Ohio shall prevent the acting municipal judge from practicing as an attorney and counselor-at-law in any other court in said state in any and all matters of business not originating or pending in said municipal court. Said acting municipal judge shall receive for his service to be paid out of the treasury of the city of Piqua, Ohio, for the time actually so engaged, not less than ten dollars per day, for a period not to exceed sixty days in one calendar year, which shall be paid in addition to the salary of the municipal judge. In the case the amount of business at any time pending in said court is so great as to cause a congestion of the docket, because of the inability of one judge to hear



and dispose of same, the mayor of the city of Piqua, Ohio, shall appoint some attorney and counselor-at-law, having the qualifications referred to above, as acting municipal judge, who shall serve for the compensation of not less than ten dollars per day until such congested conditions of the docket is relieved.

Sec. 1579-596.

SECTION 39. No justice of the peace in any township in Miami county, other than Washington, Springcreek and Brown townships, or mayor of any village, in any proceedings, whether civil or criminal, in which any warrant, order of arrest, summons, order of attachment, garnishment or replevin or other process, except subpoena for witnesses, shall have been served upon a citizen or resident of the city of Piqua, Washington, Springcreek and Brown townships, or a corporation or firm having its principal office therein, shall have jurisdiction, unless such service be actually made by personal service within the township or village in which said proceedings may have been instituted, or in a criminal matter, unless the offense charged in any warrant or order of arrest shall be alleged to have been committed within said township or village; provided that nothing in this section shall be construed as to limit the jurisdiction given officials in laws relating to intoxicating liquors or in laws providing for the enforcement of such laws.

Limitation of jurisdiction of justices of the peace.

Sec. 1579-597.

SECTION 40. All proceedings, judgments, executions, dockets, papers, moneys, property and persons subject to the jurisdiction of the criminal court of the city of Piqua and the courts of any justice of the peace for Washington, Springcreek and Brown townships in Miami county on December 31st, 1921, shall be turned over to the municipal court herein created; and thereafter such causes shall proceed in the municipal court as if originally instituted therein, the parties making such amendments as required to conform to the rules of said court.

Proceedings, judgments, property, etc., turned over to court.

Sec. 1579-598.

SECTION 41. Upon the qualification of the municipal judge, as provided for in section 2 hereof, the jurisdiction of the criminal court of the city of Piqua, the mayor of the city of Piqua or any person or officer exercising the jurisdiction of a mayor in the city of Piqua, and of all justices of the peace of said Washington, Springcreek and Brown townships, Miami county, Ohio, in all civil and criminal matters shall cease, and no judge of the criminal court, justice of the peace or constable shall thereafter be elected in said Washington, Springcreek and Brown townships.

Abolishment of certain justices' courts.

Sec. 1579-599.

SECTION 42. Each section and each subdivision of any section of this act is hereby declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision.

Section or part held invalid shall not affect others.

Sec. 1579-600.

SECTION 43. The judge of the municipal court shall be subject to the same disabilities and may be removed from office for the same causes as the judge of the court of com-

Removal; vacancy.

mon pleas. The vacancies arising from any cause except as herein provided, shall be filled by appointment by the governor of the state.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

223 G.

[Amended Senate Bill No. 70.]

## AN ACT

To establish a municipal court for the city of Lorain, Lorain county, Ohio, and fixing the jurisdiction thereof, and providing for a judge thereof, and other necessary officers, and defining their powers and duties.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1579-601.

Municipal court  
Lorain, Ohio,  
created.

SECTION 1. That there be and hereby is created a court of record in and for the city of Lorain and the townships of Black River and Sheffield in the county of Lorain, and state of Ohio, to be styled "The Municipal Court of Lorain, Ohio" (the jurisdiction thereof, to be as herein and hereinafter fixed and determined).

Sec. 1579-602.

Municipal  
judge: election,  
qualifications,  
terms, salary, etc.

SECTION 2. Said municipal court shall be presided over by one judge, to be designated herein as a "municipal judge," which office is hereby created, and whose term of office shall be for a period of four years, and said judge shall receive such compensation, payable out of the treasury of Lorain county, not less than twelve hundred dollars per annum, payable monthly, as the county commissioners may prescribe, and out of the treasury of Black River township, Lorain county, Ohio, not less than one hundred fifty dollars, per annum, payable monthly as the township trustees may prescribe, and out of the treasury of Sheffield township, Lorain county, Ohio, not less than one hundred fifty dollars per annum, payable monthly, as the township trustees may prescribe, and such further compensation, not less than twenty-five hundred dollars per annum, payable in monthly installments out of the treasury of the city of Lorain, Ohio, as the council or legislative authority may prescribe, provided the salary at no time shall exceed four thousand dollars. Said municipal judge at the time of his election or appointment and during the continuance of his office shall be a qualified elector

and resident of either the city of Lorain or the townships of Black River, or Sheffield, county of Lorain, and state of Ohio, and have been admitted to the practice of law and shall have been in the active practice of law in the state of Ohio, for not less than five years immediately preceding his qualification, said judge shall be elected at the next regular municipal election after the going into effect of this act, for a term of four years, commencing on the first day of January next after said election and shall hold said office until his successor is elected and duly qualified. Such election shall be held and conducted and returns thereof made as in the case of the election of city and judicial offices.

Sec. 1579-603.

SECTION 3. Said municipal court herein established shall have jurisdiction of any offense under any ordinance of the city of Lorain, Ohio, and of any misdemeanor committed within the limits of the city of Lorain and townships of Black River and Sheffield, Lorain county, Ohio, to hear and determine the same and impose the prescribed penalty; and cases in which the accused is entitled to a trial by jury, shall be tried by the judge of said municipal court, unless a jury be demanded as hereinafter provided; and in felonies committed within Lorain county, Ohio, such court shall have power to hear the case and discharge, recognize or commit, and, if upon such hearing the court is of the opinion that the offense is only a misdemeanor, a plea of guilty of such offense may be received and sentence and judgment pronounced; and in addition thereto said municipal court shall have ordinary civil jurisdiction within the limits of the city of Lorain and townships of Black River and Sheffield, in said county of Lorain, and state of Ohio, in the following cases:

Jurisdiction of court.

(1.) In all actions and proceedings of which justices of the peace, or such courts as may succeed justice of the peace courts, have or may be given jurisdiction.

(2.) In all actions and proceedings at law for the recovery of money and of personal property of which the court of common pleas has or may be given jurisdiction, when the amount claimed by a party, or the appraised value of the personal property sought to be recovered does not exceed one thousand dollars, and in such actions, judgment may be recovered for over one thousand dollars, when the amount over one thousand dollars shall consist of interest or damages, or costs accrued after the commencement of the action.

(3.) All actions on contracts express or implied, when the amount claimed by the plaintiff, exclusive of all costs, does not exceed one thousand dollars. When a cause arising out of a contract is pending in the municipal court and when the ends of justice demand that the contract or contracts be reformed or rescinded, the municipal court shall have jurisdiction to decree such reformation or rescission.

(4.) All actions or proceedings whether legal or equitable to enforce the collection of its own judgments.

(5.) All actions for the sale of personal property under chattel mortgage, lien or other charges of incumbrance upon personal property, and for marshalling of all liens thereon, when the appraised value of such property shall not exceed one thousand dollars.

(6.) All actions and proceedings for the sale of personal property under lien of judgment of the municipal court or lien for material or fuel furnished or labor performed and for the marshalling of all liens thereon.

(7.) All actions and proceedings in the nature of creditors' bills in aid of execution, to subject the interest of a debtor in real or personal property to the payment of a judgment of the municipal court.

(8.) All actions and proceedings in the nature of interpleader and involving one thousand dollars or less, but parties may interplead as to larger amounts in any action originally instituted, involving one thousand dollars or less.

Sec. 1579-604.

SECTION 4. The municipal court shall have jurisdiction within the limits of Lorain county, Ohio:

Jurisdiction  
within Lorain  
county.

(1.) To compel attendance of witness in any pending action or proceeding.

(2.) To issue execution on its own judgments.

(3.) In all actions and proceedings whether legal or equitable to enforce the collection of its own judgments.

(4.) In all actions and proceedings where one or more defendants reside or is served with summons in the townships of Black River or Sheffield, county of Lorain, state of Ohio.

(5.) In all causes the municipal court shall have jurisdiction in every ancillary and supplemental proceeding, before and after judgment, including attachment, interpleader, aid of execution and the appointment of a receiver, for which authority is now, or may hereafter be conferred upon court of common pleas, or a judge thereof, or upon justices of the peace.

(6.) The municipal court shall have jurisdiction upon the application of a debtor, to appoint a trustee to receive that portion of the personal earnings of the debtor, which, as against claims for necessities, is not exempt from execution, attachment, or proceedings in aid of execution, and such additional sums as the debtor may voluntarily pay or assign to said trustee, and to distribute the money pro rata among creditors having claims for necessities against the debtor at the time of application.

When a trustee shall be so appointed, no proceeding in attachment, aid of execution or otherwise to subject the personal earnings of the debtor to payment of claims for necessities shall be brought or maintained by any creditor having a claim against such debtor at the time of the application herein, before any justice of the peace or in any court, so long as at least fifteen per centum of the personal earnings of such debtor is paid to the trustee at regular intervals, as fixed by the court; provided, however,

this provision shall not be construed to prohibit creditors from recovering judgments against the debtor nor to prohibit levy, under a writ of attachment or execution, upon any other property which is not exempt from execution.

The maintaining of a proceeding in attachment, aid of execution or otherwise, in violation of the foregoing provision, may be prevented by a writ of prohibition, in addition to all other remedies provided by law.

The municipal court may provide, by rule, for notice to creditors, the authentication and adjudication of claims, the time and manner of payment by the debtor, the distribution of the funds, the bond and the trustee, if required, and for all other matters necessary or proper to carry into effect the jurisdiction conferred by this section. The court shall designate the clerk of the municipal court, trustee, without additional compensation and his official bond shall be construed as conditioned upon the fulfillment of the trust, and no additional bond shall be required.

Sec. 1579-605.

SECTION 7. The municipal court shall have jurisdiction of all misdemeanors and of all violations of city ordinances of which police courts or the mayor in municipalities or a justice of the peace now have or may hereafter be given jurisdiction. In felonies the municipal court shall have the power which police courts or the mayor in municipalities or a justice of the peace now have or may hereafter be given.

Violations of city ordinances, jurisdiction.

Sec. 1579-606.

SECTION 8. The municipal court shall have jurisdiction of all bastardy cases the same as justices and common pleas courts now have and other quasi-criminal actions and proceedings of which a court of a justice of the peace now has or may hereafter be given jurisdiction; and in all such actions the practice and procedure and the powers of the court in relation thereto shall be the same as those which are now or may hereafter be possessed by a court of a justice of the peace.

Bastardy.

Sec. 1579-607.

SECTION 9. In the actions and proceedings of which the municipal court has jurisdiction, all laws conferring jurisdiction upon a court of common pleas, a police court or a justice of the peace or the mayor, giving such court or officer power, to hear or determine such causes, prescribing the force and effect of their judgments, orders or decrees, and authorizing and directing the execution or enforcement thereof, shall be held to extend to the municipal court, unless inconsistent with this act or plainly inapplicable.

Laws applicable in actions and proceedings.

Sec. 1579-608.

SECTION 10. When the amount due to either party exceeds the sum for which the municipal court is authorized to enter judgment, such party may remit the excess, and judgment may be entered for the residue. Defendant need not remit such excess, and may withhold setting it off. A recovery for the amount set off and allowed, or any part of it, shall not be a bar to his subsequent action for the amount withheld.

When amount due exceeds jurisdiction; excess may be remitted.

Sec. 1579-609.

When proceedings certified to common pleas court.

**SECTION 11.** Whenever the appraised value of the property sought to be recovered or sold (save in the excepted instances heretofore set forth) in any action in the municipal court exceeds one thousand dollars, the judge of the municipal court shall certify the proceedings in the case to the court of common pleas of Lorain county, Ohio, and thereupon the clerk of the municipal court shall file the original papers and pleadings together with a certified transcript of the docket and journal entries in the case, in the office of the clerk of said common pleas court. The bailiff shall turn over the property in his possession to the sheriff of Lorain county, Ohio, to be by him held as in like cases originating in the court of common pleas. The case must then proceed as if it had been commenced in said common pleas court.

Sec. 1579-610.

Commencement of actions.

**SECTION 12.** Civil actions and proceedings in the municipal court shall be commenced as in the common pleas court, and an action shall be deemed pending so as to carry notice thereof to all persons from the delivery of the summons or writ by the clerk to the bailiff for service.

(1.) All writs and process in the municipal court shall be served and returned by the bailiff, or by the publication, or in case of foreign service in the same manner as is now, or may hereafter be provided by law for the service and return of writs and process in the court of common pleas. Where the manner of service is not so provided for, service and return may be made in the same manner provided by law for the service and return of process and writs issued by the common pleas court or a police court or a mayor or a justice of the peace.

(2.) The return day shall be fixed by rule of court and the summons or writs shall, unless accompanied with an order to arrest, be served at least three days before the return day of the summons, writ or process.

(3.) In all civil cases in the municipal court, the plaintiff before issuing a summons, shall file a petition setting out his statement of claim, and the defendant shall file an answer setting out a statement of any set-off, counter claim or defense which he may desire to assert or make. The statement of answer containing a statement of defense shall be filed in such cases, and within such time as may be required by rule of court. In such cases where an answer is required, the summons shall set forth the date when such answer shall be filed, as fixed by rule of court, which shall be not less than seven days after the return day of the summons, but the court may grant leave for further time to file such answer on good cause shown. The statement shall set forth in plain, direct language the facts constituting the cause of action, set-off, counter-claim or defense.

(4.) To expedite the business and promote the ends of justice, said judge may from time to time adopt, publish and revise rules relating to the matter of practice and

procedure, classify the causes of action in the court, and prescribe with reference to each class the degree of particularity with which a cause of action, set-off, counterclaim or a defense shall be set up. Until otherwise provided by rule of court and except as herein provided, the practice as to pleading and procedure shall be governed by the civil code of procedure provided for the common pleas court of the state.

c. 1579-611.

SECTION 13. In all criminal cases and proceedings the practice and procedure and the mode of bringing and conducting the procedure of defense and the powers of the court in relation thereto, shall be the same as those which are now, or may hereafter be, possessed by police courts or the mayor in municipalities unless as otherwise provided herein.

Practice and procedure.

c. 1579-612.

SECTION 14. In addition to the exercise of all other powers of a judge and clerk of said court, they shall render a complete monthly report to the council of the city of Lorain covering the preceding month, and to the county commissioners, of all state cases, which report shall show the work performed by the court, a summary of all expenses of the civil and criminal branches of the court respectively, a statement of receipts and expenditures, the number of cases heard, decided and settled by the court, the number of decisions of the municipal court reversed or affirmed by a reviewing court. The conduct of the criminal branch shall be arranged by said judge, and for both the criminal and civil branches of said court he shall prescribe forms, establish a system for the docketing of causes, motions and demurrers, adopt and publish rules governing practice and procedure, not otherwise provided for in this act; and designate the mode of keeping and authenticating the records of proceedings had before him. The court may summon and impanel jurors, tax costs, compel the attendance of witnesses and parties, issue process, preserve order, punish for contempt, and exercise all powers which are now, or may hereafter be, conferred upon the court of common pleas or the judge thereof, or upon justices of the peace, or upon police courts of cities or judges thereof, or are necessary for the exercise of the jurisdiction herein conferred and for the enforcement of the judgments and orders of the court.

Report to council; contents.

Arrangement of criminal branch: powers of judge.

c. 1579-613.

SECTION 15. All causes in the municipal court, both civil and criminal, shall be tried to the court, unless a jury trial be demanded by a party entitled to the same. The time for making a demand for a jury in civil cases may be fixed and limited by rule of court. In all criminal cases, in which the accused is entitled to a jury trial, a demand for a jury trial must be made by the accused before the court shall proceed to inquire into the merits of the cause, otherwise a jury shall be deemed to be waived and the cause shall be tried by the court. In all civil actions where a jury shall be demanded, except as hereinafter provided, it shall be composed of six persons, resident of either said

Trial by court unless jury demanded.

Black River or Sheffield townships, having qualifications of electors, unless the parties agree on a less number; provided, however, that when the amount claimed by any party or the appraised value of the personal property sought to be recovered exceeds the sum of two hundred dollars, specifying that number in said written demand. In all actions and proceedings in said municipal court of which police courts in cities have or may hereafter be given jurisdiction, where a jury may be and is demanded, it shall be composed of twelve persons, residents of either said Black River or Sheffield townships, or of said city of Lorain, having the qualifications of electors. In all civil actions a jury shall render a verdict upon the concurrence of three-fourths or more of their number.

Sec. 1579-614.

Costs, how taxed.

SECTION 16. In all civil actions and proceedings, when the amount claimed by any party or the appraised value of the personal property sought to be recovered does not exceed two hundred dollars, the costs of summoning jurors and the fees of jurors shall be taxed as part of the costs, and such costs must be deposited or secured in advance by the party demanding a jury. In all civil actions and proceedings where the amount claimed by any party or the appraised value of the personal property sought to be recovered is in excess of two hundred dollars, the costs of summoning jurors and the fees of jurors shall be paid out of the treasury of the city of Lorain, Ohio, and charged to the appropriate fund for the payment of jurors serving in the common pleas court, and shall be collected from the county and distributed by the clerk of the municipal court; provided, however, that when the amount claimed by any plaintiff, or by any defendant by way of counter-claim or set-off, shall exceed the sum of two hundred dollars, and in such cases such claimant shall demand a jury and shall thereafter recover a verdict on his claim of less than fifty dollars, the fees of jurors shall be taxed against such party so demanding such jury as a part of the costs, and when collected such jury fees shall be paid to the county and credited to the appropriate fund for the payment of jurors serving in the common pleas court.

Sec. 1579-615.

Summoning  
jurors; jury  
commissioners.

SECTION 17. Jurors in the municipal court shall be chosen and summoned in accordance with the rules of said court. Such rules shall provide for a jury wheel similar to that used for summoning jurors in the common pleas court. The judge and clerk of the municipal court shall on or before the fifth day of January of each year, appoint two freehold electors, resident of Black River and Sheffield townships, Lorain county, Ohio, who shall not be of the same political party, to serve as jury commissioners for the ensuing year, and their duties shall be such as may be prescribed by the rule of court aforesaid. Before entering upon their duties said commissioners shall take an oath before the municipal judge similar to that required by jury commissioners of the common pleas court. Such



commissioners shall receive for his services twenty-five dollars per year, payable out of the treasury of the city of Lorain, Ohio. The names of persons who are to serve as jurors shall be drawn from such jury wheel by the clerk in the presence of the municipal judge. Jurors in the municipal court shall be electors of either the township of Black River or the township of Sheffield in the county of Lorain, state of Ohio, and shall be summoned and impaneled in the same manner and challenged for the same causes as jurors in the court of common pleas; they shall have the same qualifications as jurors in the court of common pleas and their fees shall be paid as hereinbefore provided. Each juror, when the amount claimed by any party of the appraised value of the personal property sought to be recovered in any suit does not exceed two hundred dollars shall be paid one dollar per day and mileage and when the amount claimed by any party of the appraised value of the personal property sought to be recovered in any suit is in excess of two hundred dollars each juror shall receive two dollars per day and mileage.

Compensation of jurors.

ec. 1579-616.

SECTION 18. In all cases the municipal court shall have the same authority to set aside a verdict or a judgment, as is now, or may hereafter be, conferred upon courts of common pleas.

Power to set aside verdict.

ec. 1579-617.

SECTION 19. The calendar of the municipal court shall be divided into four terms of three months each, beginning respectively, on the first day of January, April, July and October of each year. The judge of the municipal court may continue the session of any term of said court beyond the time fixed for the commencement of the next term, when such continuance is necessary to finish the trial of any cause, or to receive the verdict or pronounce judgment in any cause, the trial of which has been commenced during the term.

Calendar of court, how divided.

ec. 1579-618.

SECTION 20. All lands and tenements, including vested interests therein, and permanent leasehold estates, renewable forever, located within the townships of Black River or Sheffield, in the county of Lorain, shall be bound for the satisfaction of any judgment rendered in the municipal court from the first day of the term at which judgment is rendered; but judgments by confession and judgments rendered at the same term at which the action is commenced shall bind such land, tenements, vested interests and permanent leaseholds, only from the day on which such judgments are rendered.

Lands, tenements, etc., bound by judgment.

ec. 1579-619.

SECTION 21. The party in whose favor a judgment is rendered by the municipal court may file a transcript of such judgment in the office of the clerk of the common pleas court in the same manner and under the same conditions as are now, or may hereafter be, provided for filing of transcripts of judgments rendered by justices of the peace; all provisions relative to transcripts of judgments

Transcript of judgment.

and liens of judgments, rendered by justices of the peace, shall, in so far as applicable, be applied to transcripts of judgments and liens of judgments rendered by the municipal court.

Sec. 1579-620.

Lien of judgment, how enforced.

SECTION 22. The lien of judgment of the municipal court may be enforced in the court of common pleas in the same manner as the lien of a judgment rendered by the court of common pleas. Execution may be issued on such judgments at any time after a transcript thereof has been filed, as if the judgment had been rendered by the court of common pleas; but all liens shall remain as provided in this act.

Sec. 1579-621.

Proof of records.

SECTION 23. The records of the municipal court may be proved by the production of the original records, or by a transcript thereof certified by the clerk of said court under its seal.

Sec. 1579-622.

Index of plaintiffs and defendants.

SECTION 24. The clerk of the municipal court shall make and maintain an alphabetical index of the names of all plaintiffs and defendants to suits filed in said court.

Sec. 1579-623.

Proceedings in error.

SECTION 25. Proceedings in error may be taken to the common pleas court of Lorain county from a final judgment or order of the municipal court in the same manner and under the same conditions as provided by law for proceedings in error from the common pleas court, to the court of appeals.

Sec. 1579-624.

Practice of court shall not be questioned in proceeding in error.

SECTION 26. No assignment of error in a reviewing court shall be allowed in any action which shall call in question the decision of the municipal court with reference to any matter pertaining to the practice of said court, provided, however, that the reviewing court may grant relief from error in the municipal court in respect to a matter of practice therein in any case wherein the opinion of the reviewing court such relief is necessary to prevent a failure of justice.

Sec. 1579-625.

Security for costs, laws applicable.

SECTION 27. The laws governing the court of common pleas as to security for costs except as herein otherwise provided for, pleadings and procedure, motions for new trial, vacations or modifications of judgments before and after terms, the referring of matters to a referee, the issuing of execution and the taking of depositions shall be held to apply so far as applicable to the municipal court. Provided, that a person against whom a judgment has been rendered in the municipal court may stay execution thereon by entering into a bond to the adverse party within ten days after rendition of such judgment, with sufficient surety, who shall be a freeholder owning real property situated in the county of Lorain, and state of Ohio, or a corporation authorized to execute surety bonds in this state, approved by the clerk of court, and conditioned for the payment of the amount of such judgment, interest, costs and costs that accrue. Such bond shall be entered in the docket of the clerk of court and shall be signed by such surety. The giving of such bond shall in no manner im-

pair the lien of judgment against the real estate of such judgment debtor.

The stay of execution hereby authorized shall be graduated as follows:

Stay of execution.

(1.) On a judgment of fifty dollars and under, for thirty days.

(2.) On a judgment exceeding fifty dollars but not exceeding five hundred dollars, for ninety days.

(3.) On a judgment exceeding five hundred dollars, for one hundred and twenty days.

c. 1579-626.

SECTION 28. A clerk for said municipal court, which office is hereby created, shall be elected at the next regular municipal election after the going into effect of this act for a term of four years, commencing on the first day of January next after said election, and shall hold said office until his successor is duly elected and qualified, and he shall receive an annual salary of twenty-five hundred dollars. Two thousand dollars of which shall be paid out of the treasury of the city of Lorain in monthly installments, and five hundred dollars to be paid out of the treasury of Lorain county in monthly installments. Such election shall be held and conducted and returns thereof made as in case of the election of city officers. Council shall provide such deputy clerks as may be necessary, and fix their term of office, duties and compensation. The deputy clerks provided for shall be appointed by the municipal judge.

Clerk: election term, salary.

c. 1579-627.

SECTION 29. The clerk of the municipal court shall have power to administer oaths and take affidavits and acknowledgments and to issue execution upon any judgment rendered in the municipal court, including a judgment for unpaid costs; he shall have power to issue and sign all writs, processes and papers issuing out of the court, and to attach the seal of the court thereto; shall have power to approve all bonds, recognizances and undertakings, fixed by any judge of the court or by law; shall file and safely keep all journals, records, books and papers belonging or appertaining to the court, record its proceedings and perform all other duties which the judge of the court shall prescribe. He shall pay over to the proper parties all moneys received by him as clerk; he shall receive and collect all costs, fines and penalties; he shall pay the same monthly to the treasurer of the city of Lorain and take his receipt therefor, except in state cases he shall pay over all cash and fines to Lorain county, but money deposited as security for costs shall be retained by him pending the litigation; he shall keep a record showing all receipts and disbursements, which shall be open for public inspection at all times, and shall on the first Monday of each term of court make to the city auditor a report of all receipts and disbursements for the preceding term.

Powers and duties of clerk.

## Sec. 1579-628.

Record of money  
deposited as  
security for  
costs; notice of  
unclaimed costs.

SECTION 30. All moneys deposited as security for costs, and all other moneys, other than costs paid into the municipal court, shall be noted on the record of the cause in which they are paid and shall be deposited by the clerk in such banking institutions as shall be designated by council, there to abide the order of the court and to bear interest at the best rate obtainable. On the first Monday in January of each year the clerk shall make a list of the titles of all cases in the municipal court which were finally determined more than one year past, in which there remains unclaimed in the possession of the clerk any of such funds, or any part of a deposit for security for costs not consumed by the costs in the case. The clerk shall give notice of the same to the parties entitled to said money, or to their attorneys of record. All such moneys remaining unclaimed on the first day of April of each year shall be paid by the clerk to the city treasurer, provided, however, that any part of such moneys shall be paid by such treasurer at any time to the person having the right thereto upon proper certificate of the clerk of court.

## Sec. 1579-629.

Bond of clerk;  
vacancy.

SECTION 31. Before entering upon the duties of his office, the clerk of the municipal court shall give a bond to the city of Lorain, Ohio, in the sum of five thousand dollars with surety to the approval of the municipal judge conditioned upon the faithful performance of his duties as such clerk. The said bond shall be given for the benefit of the city of Lorain, and for the benefit of any person who may suffer loss by reason of a default, in any of the conditions of said bond. A vacancy in the office of the clerk of the municipal court shall be filled by the judge of said court, by appointment, until his successor is elected and qualified according to law.

## Sec. 1579-630.

Bailiff; appoint-  
ment, duties.

SECTION 32. The bailiff shall be appointed by the judge of such court and hold office during the pleasure of the court, and may be removed at any time by the judge of the municipal court. Every police officer of the city of Lorain shall be ex-officio a deputy bailiff of the municipal court and the chief of police shall assign one or more such police officers from time to time to perform such duties in respect to cases within the jurisdiction within said court as may be required of them by said court or the clerk thereof.

## Sec. 1579-631.

Compensation;  
bond.

SECTION 33. One bailiff shall be designated as hereinafter provided for in this act. He shall perform for the municipal court, services similar to those usually performed by the sheriff for courts of common pleas and by the constable for courts of justices of the peace. Such bailiff shall receive such compensation not less than eighteen hundred dollars per annum, payable out of the treasury of the city of Lorain in monthly installments as the council may prescribe. Before entering upon his duties, said bailiff shall make and file in the office of the auditor of the city of Lorain, a bond in the amount of not less than two thousand dollars. The terms and sufficiency of said

bond shall be subject to the approval of the judge of the court. The said bond shall be given for the benefit of the city of Lorain and of any person who shall suffer loss by reason of the default of any of the conditions of said bond. The bailiff shall receive from the treasury of the city of Lorain, in addition to his compensation his actual expenses in serving processes of the court, not to exceed the sum of forty dollars per month, payable upon the order of the municipal judge.

Sec. 1579-632.

SECTION 34. In all actions where the amount claimed by either party or the appraised value of the property sought to be recovered does not exceed two hundred dollars and except as herein provided in all actions where the municipal court has jurisdiction the same as that of a justice of the peace, the fee and costs shall be the same and taxed in the same manner as is now or may hereafter be provided for such actions before a justice of the peace. In all other actions the fees and costs shall be the same and taxed in the same manner as is now or may hereafter be provided for such actions in the court of common pleas. In criminal cases all fees and costs shall be the same as fixed with respect to police courts. The judge of the municipal court may by rule of court, provide for all cases not covered by this act, a standard of fees and costs not in excess of those provided by general laws. All payments and deposits for costs and jury shall be refunded when the same shall have been paid by the losing party.

Fees and costs,  
how taxed.

Sec. 1579-633.

SECTION 35. The council of the city of Lorain shall provide suitable accommodations for the municipal court and its officers, including a private room for said judge and sufficient jury room. The council shall also provide for the use of the court complete sets of the reports of the supreme and inferior courts of Ohio and such other authorities as it shall be deemed necessary and shall provide for the court room the latest edition of the General Code of Ohio and necessary supplies, including telephone, stationery, furniture, heat and janitor services. The council may also provide for such other ordinary or extraordinary expense as it may deem advisable or necessary for the operation or administration of said court.

Accommoda-  
tions for court  
and officers.

Sec. 1579-634.

SECTION 36. The said municipal court shall have a seal which shall have engraved thereon the coat of arms of the state and shall be approximately one inch in diameter and shall be surrounded by these words, "THE MUNICIPAL COURT OF LORAIN, OHIO," and shall have no other words or device engraved thereon.

Seal of court.

Sec. 1579-635.

SECTION 37. The solicitor for the city of Lorain shall also be prosecuting attorney of the municipal court. He may designate such number of assistant prosecutors as the council of the city of Lorain may authorize. The solicitor or the person thus appointed shall receive for their services in city cases such salary as the council may prescribe, and such additional compensation as the county commissioners may allow. The prosecuting attorney of the municipal

Prosecuting at-  
torney; duties.

court shall prosecute all cases of a criminal nature brought before such court and perform the same duties, as far as they are applicable thereto, as are required of the prosecuting attorney of the county. The council of the city of Lorain, by ordinance, shall provide for one or more official stenographers and fix their compensation, and provide for the payment of the same monthly out of the city treasury and the same shall be appointed by the judge of the municipal court and serve at his pleasure. The court shall regulate the charge for transcripts of testimony and the costs thereof shall be paid to the clerk and by him accounted for.

Sec. 1579-636.

Substitute  
judge, when.

SECTION 38. Whenever the incumbent of any office created by this act, excepting the municipal judge, shall be temporarily absent or incapacitated from acting, the judge shall appoint a substitute who shall have all the qualifications required of the incumbent of the office. Such appointee shall serve until the return of the regular incumbent, or until his incapacity ceases. In case said judge shall be incapacitated from sitting in any case, or by reason of absence or inability to attend sessions of said court, the mayor of the city of Lorain may appoint some attorney-at-law having the qualifications required by this act, to act in his stead until said judge is able to resume his said position. Such appointment shall be certified by the court or mayor as the case may be and entered upon the record, provided, however, that in the event of a member of the bar receiving the appointment, nothing contained in this act or in other laws of Ohio shall prevent the acting municipal judge from practising as an attorney and counselor at law in any other court in said state in any and all matters of business not originating or pending in said municipal court. Said acting municipal judge shall receive for his service, to be paid out of the treasury of the city of Lorain, Ohio, for the time actually so engaged, not less than fifteen dollars per day, for a period not to exceed sixty days in one calendar year, which shall be paid in addition to the salary of the municipal judge. In the case the amount of business at any time pending in said court is so great as to cause a congestion of the docket, because of the inability of one judge to hear and dispose of same, the mayor of the city of Lorain, Ohio, shall appoint some attorney and counsellor-at-law, having the qualifications referred to above, as acting municipal judge, who shall serve for the compensation of not less than fifteen dollars per day until such congested condition of the docket is relieved. Or, in event of either of the above mentioned contingencies, one of the judges of the common pleas court of Lorain county, Ohio, may perform the duties of such acting municipal judge.

Sec. 1579-637.

Limitation of  
jurisdiction of  
mayors and  
justices of the  
peace.

SECTION 39. No justice of the peace in any township in Lorain county, other than Black River or Sheffield townships, or mayor of any village, in any proceedings, whether civil or criminal, in which any warrant, order of arrest, summons, order of attachment, garnishment or replevin

or other process, except subpoena for witnesses, shall have been served upon a citizen or resident of the city of Lorain, Black River or Sheffield townships, or a corporation or firm having its principal office therein, shall have jurisdiction, unless such service be actually made by personal service within the township or village in which said proceedings may have been instituted, or in a criminal matter, unless the offense charged in any warrant or order of arrest shall be alleged to have been committed within said township or village; provided that nothing in this section shall be so construed as to limit the jurisdiction given officials in laws relating to intoxicating liquors or in laws providing for the enforcement of such laws.

c. 1579-638.

SECTION 40. All proceedings, judgments, executions, dockets, papers, moneys, property and persons subject to the jurisdiction of the criminal court of the city of Lorain and the courts of any justice of the peace for Black River and Sheffield townships in Lorain county on December 31st, 1921, shall be turned over to the municipal court herein created; and thereafter such causes shall proceed in the municipal court as if originally instituted therein, the parties making such amendments as required to conform to the rules of said court.

Proceedings, dockets, property, etc., turned over to municipal court.

c. 1579-639.

SECTION 41. Upon the qualification of the municipal judge, as provided for in section 2 hereof, the jurisdiction of the criminal court of the city of Lorain, the mayor of the city of Lorain or any person or officer exercising the jurisdiction of a mayor in the city of Lorain, and of all justices of the peace of said Black River and Sheffield townships, Lorain county, Ohio, and all civil and criminal matters shall cease, and no judge of the criminal court, justice of the peace or constable shall thereafter be elected in said Black River or Sheffield townships.

When jurisdiction of mayor and certain justices of the peace shall cease.

c. 1579-640.

SECTION 42. Each section and each subdivision of any section of this act is hereby declared to be independent, and the finding or holding of any section or subdivision of any section thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision.

Section or part held void shall not affect others.

c. 1579-641.

SECTION 43. The judge of the municipal court shall be subject to the same disabilities and may be removed from office for the same causes as the judge of the court of common pleas. The vacancies arising from any cause except as herein provided shall be filled by appointment by the governor of the state.

Removal; vacancies.

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rgin hereof  
, designated  
provided by  
v.  
HN G. PRICE,  
torney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

[House Bill No. 347.]

## AN ACT

To provide for the regulation of the business of furnishing laundered articles for hire.

*Be it enacted by the General Assembly of the State of Ohio:*

## Sec. 6240-5.

Person, firm, etc., furnishing laundered articles for hire may have trade mark, etc.; filing of, with clerk of courts.

SECTION 1. Any person, firm, corporation or association engaged in the business of supplying towels, coats, aprons, toilet devices, or other kindred articles or supplies, for hire or compensation used for the purpose of providing cleanliness and sanitation, and which said articles or supplies are, shall, or may have a name, or trade mark or device branded, stamped, marked, sewed or otherwise impressed thereon may file in the office of the clerk of courts of the county in which the principal place of business is situated a description of such name, mark or device, and cause such description to be printed once in each week for three weeks successively in a newspaper published in such county. Provided, that if the principal place of business of any such person, firm or corporation is in another state, the filing of such description shall be made in the office of the clerk of courts in any county of this state in which business is done, and printed for three weeks successively in a newspaper published in such county. When any such person, firm or corporation shall have complied with the provisions of this section he, she or it, shall thereupon be deemed the proprietor of such name, mark or device and of every such towel, apron, coat, toilet cabinet or toilet device, so used as aforesaid, upon which the said mark may be branded, stamped, marked, sewed, or otherwise impressed or produced thereon, upon the filing with the clerk of courts as herein above referred to, such name, mark or device, and there shall be paid to the clerk of courts two dollars for each such name, mark or device so filed.

## Sec. 6240-6.

Assignment of on sale of business: rights of purchaser: filing certificate of assignment.

SECTION 2. When any person, firm, corporation or association having complied with the provisions of the preceding section of this act, assigns by sale or otherwise, the business, including such name, mark or device to another person, firm, corporation or association, the assignee shall have all the rights and immunities and obligations conferred by this act upon the business of supplying towels, coats, aprons, toilet cabinets, towel devices, or any other kindred articles of supplies used for the purpose of cleanliness and sanitation; provided, such assignee shall, upon such assignment, file in the office of the clerk of courts of the county in which his or its principal place of business is situated, a certificate of said assignment, and cause such certificate to be printed once in each week for three weeks successively in a newspaper published in such county. If the principal place of business of such assignee is in another state, the filing of such certificate of assignment shall be made in the office of the clerk of courts in any county of



this state in which business is done and printed once in each week for three weeks successively in a newspaper published in such county.

ec. 6240-7.

SECTION 3. No person, firm, corporation or association other than provided in section one hereof, shall use any towels, coats, aprons, toilet cabinets, towel devices, or any other articles or supplies used for the purpose of cleanliness and sanitation, by supplying, furnishing, selling, transferring or renting the same for hire or compensation, or otherwise, or shall deface, erase, obliterate, cover up, or otherwise remove or conceal said mark or device thereon, or shall give, take or otherwise dispose of such towels, coats, aprons, toilet cabinets or other toilet devices, so branded and marked as herein provided for, without the written consent of the owner or owners, whose mark or device shall be or have been upon such article or articles as provided in section one hereof.

Use of trade mark, device, etc., by others prohibited.

Provided, however, that the use of such article or articles at the place where the same are placed or delivered by the owner or owners under an agreement, lease or license from such owner, shall not be unlawful, and provided further that nothing herein contained shall make it unlawful for any bona fide hotel, restaurant, cafe, or other public hostelry, to permit and allow the use of such towels, coats, aprons or other toilet device to any guest, boarder or regularly hired employe thereof, during the period of any lease, renting or hiring agreement of said supplies with the owner thereof. The possession by any junk dealer or dealers in rags or second hand articles, or person, firm, corporation or association, other than by the owner, lessee or sub-lessee thereof as herein provided, of any such marked or distinguished article or articles without such written consent shall be presumptive evidence of traffic in such goods and a violation of this section.

ec. 6240-8.

SECTION 4. No person, firm, corporation or association other than the owner or owners shall launder, wash, clean, renovate or cause to have laundered, washed, cleaned or renovated, any towels, coats, aprons, toilet devices or other supplies used for the purpose of cleanliness and sanitation, which is so marked, named or distinguished as aforesaid, the possession of which is claimed by lease or rental from the owner thereof as herein provided, except by the written consent of the owner or owners thereof. Any person, firm, corporation or association who finds or receives such property, in the ordinary course of business and under circumstances which gives him or them knowledge and means of inquiring as to the true owner, or who appropriates such article or articles to his or their own use, or the use of another person, firm, corporation or association contrary to the provisions of this act, without having first made reasonable efforts to find the owner and restore the property to him, shall be presumed guilty of traffic in same, contrary to the provisions of this act.

Others prohibited from laundering articles having trade mark, etc., without consent of owner.

## Sec. 6240-9.

Taking money  
as security does  
not constitute  
sale.

SECTION 5. Whenever the owner or owners of towels, coats, aprons, toilet cabinets, towel devices, or any other articles or supplies used for the purpose of cleanliness and sanitation, shall require taking, or accepting of any sum of money as a deposit for security for the safe keeping and return of such article or articles shall not constitute a sale of such property either optional or otherwise.

## Sec. 6240-10.

Penalty for vio-  
lations of law.

SECTION 6. Whoever violates any of the provisions of this act shall, for the first offense be fined not less than ten dollars nor more than fifty dollars, and for each subsequent offense shall be fined not less than twenty dollars nor more than one hundred dollars or imprisoned not less than thirty days nor more than three months, or both.

The sectional  
numbers on the  
margin hereof  
are designated  
as provided by  
law.  
JOHN G. PRICE,  
Attorney  
General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

225 G.

[Amended Senate Bill No. 53.]

## AN ACT

Providing for the creation of a state bureau of criminal identifica-  
tion and investigation and defining its powers and duties.

*Be it enacted by the General Assembly of the State of Ohio:*

## Sec. 1841-13.

State bureau of  
criminal identifi-  
cation and in-  
vestigation  
created; ap-  
pointment of  
superintendent;  
salary.

SECTION 1. There is hereby created under the author-  
ity and supervision of the Ohio board of administration or  
such department as shall from time to time have charge of  
state institutions a state bureau of criminal identification  
and investigation. Upon the taking effect of this act, the  
board with the approval of the governor, shall appoint a  
well qualified person as superintendent of said bureau,  
whose salary shall be thirty-six hundred dollars per annum;  
and a well qualified person as assistant superintendent of  
said bureau at an annual salary of three thousand dollars;  
a clerk and such other help as may be necessary from time  
to time, whose salaries shall be fixed by said board. None  
of the persons appointed as herein provided shall be subject  
to the civil service laws.

## Sec. 1841-14.

Suitable quar-  
ters, furniture  
and supplies;  
inmates assigned  
as assistants.

SECTION 2. The bureau shall be supplied with such  
furniture, fixtures, apparatus and materials as may be  
necessary for the collection, filing and preservation of all  
criminal records and records of stolen property filed with  
the bureau and suitable quarters in one of the penal insti-  
tutions of the state in which to carry on the work of this

bureau. The superintendent or warden of such designated institution shall furnish or assign as many competent inmates of said institution as may be needed to assist in the work of this bureau.

ec. 1841-15.

SECTION 3. The superintendent shall procure and file for record photographs copied from all plates or negatives, outline pictures, descriptions, finger prints, Bertillon measurements and such other information as may be pertinent, of all persons who have been or may hereafter be convicted of felony within the state, and of all well-known and habitual criminals from wherever procurable. He shall also file for record the finger print impressions of all persons confined in any workhouse, jail, reformatory, penitentiary, for the violation of state laws, and such other information as he may receive from law enforcement officials of the state and its subdivisions.

Duties of superintendent.

ec. 1841-16.

SECTION 4. The superintendent of the bureau shall prepare standard impression sheets on which finger prints may be made in accordance with the finger print system of identification. Such sheets may provide for such other descriptive matter as the superintendent may prescribe from time to time. Such sheets shall be furnished to each sheriff, chief of police and to the person in charge of every workhouse, reformatory, penitentiary within the state.

Standard impression sheet for finger prints prepared and furnished.

ec. 1841-17.

SECTION 5. The sheriff, chief of police or other person in charge of each prison, workhouse, reformatory or penitentiary shall send finger print impressions and such other descriptive measurements as the superintendent may require on forms furnished by him, to this bureau to be filed, classified and preserved.

Impression and description measurements sent by sheriff, etc.

ec. 1841-18.

SECTION 6. It is hereby made the duty of the sheriffs of the several counties of the state of Ohio and the chiefs of police of incorporated cities therein immediately upon the arrest of any person for any felony, to take his finger prints according to the finger print system of identification on the forms furnished by the superintendent, and forward the same, together with such other description as may be required and with the history of the offense committed, to the bureau to be classified and filed. The superintendent shall compare the descriptions received with those already on file in the bureau, and if he finds that the person arrested has a criminal record or is a fugitive from justice, he shall at once inform the arresting officer of such fact; and in order to facilitate the work of identification, the name or names under which each person whose identification is thus filed is known, shall be alphabetically indexed by the superintendent.

Duties of sheriffs, chiefs of police in taking finger prints, etc.

The provisions of this section shall not apply to violators of city ordinances or those arrested for misdemeanors, unless the officers have reason to believe that he is an old offender, or where it is deemed advisable for the purpose of subsequent identification.

Sec. 1841-19.

Descriptions, finger prints, photographs, etc., sent to bureau by sheriffs and chiefs of police.

SECTION 7. It shall also be the duty of each sheriff or chief of police to furnish said bureau with descriptions, finger prints, photographs and measurements of persons arrested who in their judgment are wanted for serious offenses, are fugitives from justice, or in whose possession at the time of arrest are found goods or property reasonably believed to have been stolen, all persons in whose possession are found burglar outfits or burglar tools or burglar keys, or who have in their possession high power explosives reasonably believed to be intended to be used for unlawful purposes, or persons who are in possession of infernal machines or other contrivances in whole or in part and reasonably believed by said sheriffs or chiefs of police to be intended to be used for unlawful purposes, and of all persons carrying concealed firearms or other deadly weapons reasonably believed to be carried for unlawful purposes, or who have in their possession inks, dies, paper or other articles necessary in the making of counterfeit bank notes, or in the alteration of bank notes, or dyes, molds or other articles necessary in the making of counterfeit money and reasonably believed to be intended to be used by them for such unlawful purposes.

Sec. 1841-20.

List and description of stolen property furnished bureau.

SECTION 8. It shall be the duty of each sheriff or chief of police, to immediately furnish said bureau with a complete list and description of all stolen property reported to him or recovered by him, including automobiles, horses, buggies, motorcycles, bicycles, jewelry of all kinds, firearms, money, bonds and all other articles of value, provided the article or articles stolen or recovered are of the value of one hundred dollars, or more.

Sec. 1841-21.

Daily bulletin containing complete record of fugitives wanted, issued and distributed.

SECTION 9. The superintendent shall prepare and issue a daily bulletin, except Sundays and holidays, which shall contain a complete record in condensed form of fugitives wanted, with nature of offense, stolen property and property recovered of which the owner is unknown, with description of same, and other pertinent information that has been reported to the bureau by the various law enforcement officers within the state. A copy of such bulletin shall be mailed to the sheriff of each county of the state, to the chiefs of police of the cities of the state, and to such other law enforcement officer or other agency as the superintendent may consider advisable.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICH,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed April 29, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

226 G.

[House Bill No. 233.]

## AN ACT

To provide a temperance day program in the public schools of the state.

*Be it enacted by the General Assembly of the State of Ohio:*

:c. 7688-1.

SECTION 1. The Friday nearest the sixteenth day of January of each year shall be set apart as a day on which those in charge of the public schools of the state shall spend at least two hours' time to carrying out a temperance day program as prepared by the superintendent of public instruction; information relative to the history of the temperance movement and of the physiological value of temperance shall be given the pupils. Such a day shall be known as temperance day.

Temperance day  
in public  
schools; pro-  
gram.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

is sectional  
number on the  
margin hereof is  
designated as  
provided by law.  
JOHN G. PRICE,  
*Attorney  
General.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

227 G.

[House Bill No. 144.]

## AN ACT

To provide one additional judge of the court of common pleas for Summit county.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1532-2a.

SECTION 1. From and after the passage and taking effect of this act, there shall be one additional judge of the court of common pleas in and for Summit county, who shall reside therein.

Additional com-  
mon pleas judge  
for Summit  
county; qualifi-  
cations, term,  
vacancy, salary.

Such additional judge shall be elected at the general election held in 1922, and every six years thereafter, for a term of six years, commencing on the first day of January, next after his election.

Until such additional judge of the court of common pleas is so elected and qualified, the governor shall appoint such additional judge.

Vacancies occurring in the office of such additional judge in Summit county shall be filled in the manner prescribed for the filling of vacancies in the office of judge of the common pleas court.

The judge so appointed shall exercise the same powers and jurisdiction, and perform the same duties as the judges of the court of common pleas; and shall receive the same compensation as is provided by law for the judges of the court of common pleas in Summit county.

The sectional number on the margin hereof is designated as provided by law.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

228 G.

[House Bill No. 140.]

## AN ACT

To amend sections 4687 and 4690 of the General Code, relative to the title of school property in a newly created village school district and in territory annexed to a city or village school district, and to the indebtedness thereon.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 4687 and 4690 of the General Code be amended to read as follows:

School district  
in newly created  
village

Sec. 4687. Upon the creation of a village, it shall thereby become a village school district, as herein provided, and, if the territory of such village previous to its creation was included within the boundaries of a rural school district and such rural school district included more territory than is included within the village, such territory shall thereby be attached to such village school district for school purposes, provided such territory has an area of less than 16 square miles. The legal title to school property for school purposes in such newly created village school districts shall be vested in the board of education of the newly created village school district. Provided, however, if there be any indebtedness on the school property located within the newly created village school district, the board of education of the newly created village school district shall assume such indebtedness and shall levy a tax annually sufficient to pay such indebtedness and shall pay to the board of education of the district or districts from which it acquired the school property, the amount of money collected from such levy as it becomes due.

Title to property  
when territory  
annexed to city  
or village.

Sec. 4690. When territory is annexed to a city or village, such territory thereby becomes a part of the city or village school district, and the legal title to school property in such territory for school purposes shall be vested

in the board of education of the city or village school district. Provided, however, if there be any indebtedness on the school property in the territory annexed, the board of education of the city or village school district, shall assume such indebtedness and shall levy a tax annually sufficient to pay such indebtedness and shall pay to the board of education of the school district or districts from which such territory was detached, the amount of money collected from such levy as it becomes due.

SECTION 2. That original sections 4687 and 4690 of the General Code be, and the same are hereby repealed.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

229 G.

[House Bill No. 411.]

## AN ACT

To enable boards of education in city districts to pay the expenses of their official representatives when sent out of the city school district for the purpose of promoting the welfare of the schools under their charge and to this end to amend section 7704, General Code.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 7704 of the General Code, be amended as follows:

Sec. 7704. On the third Monday of every January or on the Monday preceding the close of school each year, the clerk of the board of education of a city school district shall certify to the board of education of which he is clerk, the number of pupils enrolled in the public schools of that district, whereupon the board of such city school district may by resolution set aside from the contingent fund a sum not to exceed five cents for each child so enrolled, such sum of money to be known as the "service fund" to be used only in paying the expenses of such members actually incurred in the performance of their duties, or of their official representatives when sent out of the city school district for the purpose of promoting the welfare of the schools under their charge; such payments to be made only on statement of the several members, or their official representatives, furnished at the last meeting held in each month.

"Service  
fund" set aside.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

SECTION 2. That the original section 7704 of the General Code be, and the same is hereby repealed.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

230 G.

[Amended Senate Bill No. 215.]

### AN ACT

To supplement section 1465-55 of the General Code by the enactment of supplementary section 1465-55a to provide for an audit of the workmen's compensation fund by the auditor of state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 1465-55 of the General Code be supplemented by the enactment of supplemental section 1465-55a, to read as follows:

Audit of state  
insurance fund  
by auditor of  
state.

Sec. 1465-55a. The auditor of state is hereby authorized and required to make a complete audit of the state insurance fund at such time as he may deem necessary. Such audit shall cover all moneys, securities, bonds, vouchers and transactions relative to such fund, and for such purpose the auditor or any examiners designated by him shall have access to the records and books of the industrial commission at any time, and the cost of such audit shall be a charge against the state insurance fund and shall be paid from such fund monthly upon vouchers certified by the auditor of state.

Forms of record.

The auditor of state shall also prescribe forms of records and methods of accounting to be used by the Industrial Commission in connection with such state insurance fund.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
*Attorney  
General.*

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

231 G.



[Amended Senate Bill No. 21.]

## AN ACT

To amend sections 7654-1 to 7654-5, inclusive, and section 7706-4, General Code, and to add supplementary section 7654-5a, General Code, relating to county normal schools and to the duties of county superintendents of schools.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 7654-1 to 7654-5, inclusive, 7706-4 and 7706-5 of the General Code be amended and that supplementary section 7654-5a of the General Code be added to read as follows:

Sec. 7654-1. A county normal school may be established by a county board of education, with the approval of the superintendent of public instruction in any school district of the county which maintains a first grade high school, provided the board of education of the city, exempted village, village or rural school district in which the county normal school is proposed to be established agrees by resolution to furnish rooms, seats, heat, light, janitor service and, as far as possible, opportunities for practice teaching and observation necessary for the school.

County normal schools may be established; rooms, furniture, light, heat, etc.

Two or more county boards of education may establish a joint county normal school under like conditions, in which case the expense to be borne by the county boards of education shall be apportioned as agreed between them.

Establishment of joint county normal schools.

County and city boards of education, or county and exempted village boards of education may establish joint county normal schools under like conditions, in which case the expense of such a school ordinarily borne by the county board of education shall be apportioned as agreed between them.

The county board of education shall furnish such supplies, such equipment and such furniture as are not otherwise furnished. The expense thereof shall be paid by the county board of education from its contingent fund.

Supplies and equipment; payment of expense.

Sec. 7654-2. Each county normal school shall offer a one-year course for the preparation of teachers. The entrance requirements to such schools shall be fixed by the superintendent of public instruction. Such schools shall be open without tuition charge to all qualified residents of the state.

One year course for teachers; entrance requirements.

Sec. 7654-3. A director and with the approval of the superintendent of public instruction an assistant or assistants shall be employed for each county normal school. Such director and assistants shall be employed by the county board of education upon nomination of the county superintendent with the approval of the superintendent of public instruction.

Employment of director and assistant.

Sec. 7654-4. Each county normal school shall maintain practice teaching classes and shall be authorized to arrange with different boards of education for observation

Practice teaching classes shall be maintained.

and practice teaching privileges in the schools under their control.

Salary of director and assistants, how fixed.

Sec. 7654-5. The county boards of education of the counties in which such county normal schools are located shall, with the approval of the superintendent of public instruction, fix the salaries of the directors and assistants and shall receive annually from the state fifteen hundred dollars to be applied to the payment of the salary of each director, one thousand dollars to be applied to the payment of the salary of each assistant or the amount of each such salary if less than twelve hundred dollars, and not to exceed two hundred dollars for each school to be used for such other expenses and improvements of the county normal school as may be directed by the superintendent of public instruction. All expense in excess thereof, not paid by the local board of education, shall be paid by the county board of education from its contingent fund, and if there be a joint county normal school the amount apportioned to the other participating boards shall be paid by them to the county board of education of the county in which the normal school is located and placed in its contingent fund to be paid out for the specific purpose.

State normal school shall maintain a curriculum.

Sec. 7654-5a. Each state normal school shall maintain a curriculum which shall be supplementary to the curriculum of the county normal schools of the state, so that attendance with successful pursuit of the work in the state normal school shall enable a graduate of a county normal school who is a graduate of a first grade high school to secure in a year of not more than thirty-eight weeks in length, a diploma of graduation from a standard two-year normal course.

Supervision of training courses: reports.

Sec. 7706-4. The county superintendent shall have direct supervision over the training of teachers in any training courses which may be given in or in connection with the county normal school and shall teach in such school not more than one hundred periods in any one year. It shall be his duty to see that all reports required by law are made out and sent to the county auditor and superintendent of public instruction and to make such other reports as the superintendent of public instruction may require.

SECTION 2. That original sections 7654-1 to 7654-5, inclusive and 7706-4 of the General Code, be and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 12, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

[Amended Senate Bill No. 65.]

## AN ACT

To amend sections 6337, 6338, 6339, 6340, 6341, 6342, 6344 and 6346 and to supplement sections 6339, 6341 and 6344 by the enactment of supplemental sections and to repeal sections 6343 and 6345 of the General Code relating to pawnbroking.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 6337, 6338, 6339, 6340, 6341, 6342, 6344 and 6346 of the General Code be amended, and that sections 6339, 6341 and 6344 be supplemented by supplemental sections to be known as 6339-1, 6339-2, 6339-3, 6339-4, 6341-1, 6344-1 and 6344-2 to read as follows:

Sec. 6337. It shall be unlawful for any person, firm, partnership, association or corporation to engage, or continue in, or carry on, the business of lending money on deposit or pledge of personal property other than securities or printed evidences of indebtedness, or in the business of purchasing personal property or choses in action, or other valuable thing, and selling or agreeing to sell the same back to the seller at a price other than the original purchase price, at a total charge, rate of interest or discount or other remuneration in excess of eight per cent per annum, or in the business of purchasing personal property such as articles made of or containing gold, silver, platinum or other precious metals or jewels of any description for the purpose of reducing or smelting them into any form different from their condition or construction when purchased and reselling or marketing the product without first having obtained a license so to do from the commissioner of securities.

Who may carry on business of pawnbroker, etc.

Sec. 6338. That any person, firm, partnership, association or corporation now or hereafter engaged in the business of lending money on deposit or pledges of personal property or other valuable thing, other than securities or printed evidence of indebtedness, or in the business of purchasing personal property, or choses in action, or other valuable thing, and selling or agreeing to sell the same back to the seller at a price other than the original price of purchase, or in the business of purchasing personal property such as articles made of or containing gold, silver, platinum or other precious metals or jewels of any description for the purpose of reducing or smelting them into any form different from their condition or construction when purchased and reselling or marketing the product, is hereby declared and defined to be a pawnbroker within the meaning of this act.

Pawnbroker defined.

Sec. 6339. The commissioner of securities is hereby authorized to grant a license to any person of good moral character, or to any firm, partnership, association or corporation to engage in the business defined and prescribed in section 6338 of the General Code by the payment to him of a license fee in the sum of one hundred and fifty dol-

To whom and when license may be issued; fees.

Apportionment  
of fees.

Revocation of  
license.

Bond of appli-  
cant; action on  
bond.

What applica-  
tion shall con-  
tain.

lars, which license fee shall include the entire cost of examinations or inspections, for the period of the duration of the license. The said license shall be issued by the Commissioner of Securities and shall expire the first day of January next following the date of its issuance. Fifty per cent of such license fee shall be for the use of the state, and fifty per cent shall be paid to the municipality, or if outside the limits of any municipality, to the county, in which the office of said licensee may be located. All such fees payable to municipalities or counties shall be paid as they accrue, by the State Treasurer, on vouchers issued by the State Auditor. The fee of one hundred and fifty dollars herein provided shall be apportioned at the rate of twelve dollars and fifty cents per month or fraction thereof until the first day of January following the date of the issuance of such license. Every such license and bond hereinafter provided shall be renewed annually on the first day of January in each year. No license shall be granted to any person, firm, partnership, corporation or association not a resident of or the principal office of which is not located in the municipality or county designated in such license, unless, and until such applicant shall, in writing and in due form, to be first approved by and filed with the department of securities, appoint an agent, a resident of the State of Ohio, and city or county where the office is to be located, upon whom all judicial and other process, or legal notice, directed to, such applicant may be served; and in case of the death, removal from the State, or any legal disability or any disqualification of any such agent, service of such process or notice may be made upon the commissioner of securities. The said commissioner of securities may upon notice to the licensee and reasonable opportunity to be heard, revoke any license, if the licensee, his or its officers, agents or employees, shall violate any of the provisions of this act. Whenever, for any cause, such license is revoked, said commissioner of securities shall not issue another to said licensee nor to the husband or wife of said licensee, nor to any co-partnership or corporation of which he is an officer, until the expiration of at least one year from the date of revocation of such license. Every such applicant shall execute and file a bond to the State of Ohio, in the penal sum of \$2000.00 with commissioner of securities, to be approved by him for the faithful observance of all provisions of this act. Any person claiming to be injured by violation of this act by a licensee may maintain an action on said bond.

Sec. 6339-1. Application for a license shall state fully the name or names, and address of the person, or corporation, and of every member of the firm, partnership or association, authorized to do business thereunder, and the location of the office or place of business in which the business is conducted; and in the case of a corporation, shall also state the date and place of its incorporation, the

the name and address of its manager and the names and addresses of its directors and the name and address of the agent, as provided in section 6339 of the General Code. Such license shall be kept posted in a conspicuous place in the office where the business is transacted. No person, firm, partnership, corporation or association, so licensed, shall transact or solicit business under any other name. Not more than one office or place of business shall be maintained under the same license. But in case of removal, the commissioner of securities shall, on application, endorse thereon a transfer to the new place of business, and from the times of such endorsement, the new place so designated shall be deemed the place designated in the license.

Conspicuous  
posting of li-  
cense; removal.

Sec. 6339-2. The commissioner of securities shall, either personally, or by such person or persons as he may appoint for the purpose, at least once a year, and oftener, if he deems it advisable, investigate the business of every such licensee, and of every person, co-partnership and corporation by whom or for which any such loan or purchase shall be made, whether such person, co-partnership or corporation shall act, or claim to act, as principal, agent or broker, or under, or without the authority of this act, and for that purpose shall have free access to the vaults, books and papers thereof, and other sources of information with regard to the business of such licensee or person and whether it has been or is being transacted in accordance with this act. Said commissioner of securities, and every examiner, shall have authority to examine, under oath or affirmation, any person whose testimony may relate to any business coming within the provisions of this act.

Annual investi-  
gation by com-  
missioner.

Sec. 6339-3. No licensee shall charge, receive or demand in excess of five per cent per month interest on any loans, or discount on any conditional purchase, up to and including the sum of \$25.00, or in excess of three per cent per month on loans or discounts above the sum of \$25.00. In addition to the above rates of interest or discount, the licensee may make a total charge for the storage of pledged articles held as security for a loan, a sum not exceeding twenty-five cents per month, or fraction thereof and for the storage of cumbersome articles such as furs, clothing, trunks, motorcycles, etc., held as security for a loan, a sum not exceeding fifty cents per month, or fraction thereof, to be agreed upon in writing between the licensee and the pledgor at the time the loan is made; in instances where the licensee is to forward the pledged article by express or parcel post, he shall be allowed an additional charge of twenty-five cents to cover packing, etc. Said interest and charges shall not be deducted in advance and interest for actual number of days shall be computed on unpaid balances, and shall not be compounded, except that such licensee shall have the further right to charge and collect interest or discount at the specified rate for one full

Maximum inter-  
est allowed.

Interest and  
charges shall  
not be deducted  
in advance.

month on any loan which is made and repaid within thirty days. In addition to the interest, discount and charges herein provided, no further or other charge, or amount whatsoever for any examination, service, brokerage, commission or any other thing or otherwise, shall be procured, or indirectly charged, contracted for, or received by any licensee.

**Statement to  
pledgor.**

Sec. 6339-4. Every person so licensed shall give to the pledgor or seller, a statement upon which shall be legibly written in ink, typewritten or printed, the name of the licensee, making such loan or purchase, the amount of the loan or purchase price, the rate or amount of interest, discount charged, or the repurchase price, the date when the loan is made, or goods sold, and the date when payable; and shall also give the pledgor a receipt for each payment of principal or interest. Said statement shall also contain a full and accurate description of the articles pledged or sold, including any identifying marks thereon, and when any watch is pledged, he shall also write in such statement, the number of movement, the number of the case and the name of the maker thereof. The statement shall further contain a full statement of all charges for storage, if any, and on the back of said receipt shall be printed in type a copy of section 6339-3 of the General Code.

**Forms of books  
used and kept,  
prescribed by  
commissioner.**

Sec. 6340. Every pawnbroker shall keep and use such books and forms as shall be approved by the commissioner of securities, in which shall be legibly written in the English language, at the time each purchase or loan is made, an accurate description of the goods, articles, or things deposited, the time of pledging or selling the same, the amount of money loaned thereon or paid therefor, the rate of interest and charges to be paid on such loan, the time within which such pawn is to be redeemed, the amount of any repurchase price, with the name, age, place of residence, and a short description of the person of the pledgor or seller. When any watch is pledged or sold, he shall also write in such book the number of the movement, the number of the case, and the name of the maker thereof; and where jewelry or gold or silver articles of any kind are pledged or sold, the licensee shall write in said book all identifying letters or marks inscribed thereon. Such book, at all times, shall be open to the inspection of the chief or superintendent of police of the corporation, a police officer deputed by him, or the mayor thereof. Upon demand of any of them, such person so licensed shall produce and show an article thus listed and described which is in his possession.

**Daily report to  
police depart-  
ment.**

Sec. 6341. All licensees hereunder shall, before twelve o'clock noon of every business day, report to the chief of police or the head of the police department, on forms to be furnished by said police department, a description of all articles received by him by pledge or sale on the busi-

ness day immediately preceding, together with the number of the ticket issued therefor and the amount loaned or advanced thereon.

Sec. 6341-1. If pledgor shall fail to redeem any articles of jewelry, gems, silverware, goldplate, precious stones and kindred articles within six months from the date of the loan or sale, or becomes six months in arrears in the payment of interest, or shall fail to redeem any other articles pledged or sold within thirty days after maturity of loan, it shall be the duty of the licensee to notify the pledgor or seller by registered mail, demanding return receipt therefor, to the last place of address given by said pledgor or seller, that unless said pledge or property is redeemed within thirty days from the date said notice is mailed, specifying in said notice the time and place said sale will take place, it shall be sold at public or private sale, at the option of the licensee, and the proceeds applied to the payment of the indebtedness or amount advanced, with all interest and charges. If the pledgor or seller fail to redeem or repurchase said property within the thirty days' period specified in said notice, the licensee shall proceed to offer said pledge or property at public or private sale to the highest bidder, on the date fixed in said notice, and said licensee may become the purchaser, and from the proceeds of any such sale pay his or its claim including any expense of said sale; any balance shall be held and paid to such pledgor or seller, but if he shall fail to call for and collect said balance within one year from date of said sale, as above provided, said balance of such proceeds shall become the absolute property of such licensee.

Procedure in redemption or sale of articles or pledges.

Sec. 6342. No pawnbroker shall change, alter, smelt, or deface any article or voluntarily release possession of any goods, articles or things pledged with him or purchased by him until the expiration of forty-eight hours after the delivery to the chief of police a copy and statement relating thereto as provided in section 6341 of the General Code, except by the permission of the police department.

When pawnbroker may change, alter, deface, etc., article pledged.

Sec. 6344. No licensee shall receive any pledge or purchase any articles or thing from any minor, or from any person who is at the time intoxicated, or from any known habitual drunkard, or from any person who is known by him to be a thief, or associate of a thief, or a receiver of stolen property, or from any person whom he has reason to suspect or believe to be any of the foregoing.

Purchase, etc., from minor prohibited.

Sec. 6344-1. The commissioner of securities shall enforce the provisions of this act, make all reasonable effort to discover alleged violators, notify the proper prosecuting officer whenever he has reasonable grounds to believe that a violation has occurred, act as complainant in the prosecution thereof, aid such officers to the best of his ability in such prosecutions, and make a separate report to the governor at the end of each fiscal year. The commissioner of securities shall employ such deputies as may be necessary

Enforcement of act; report to governor.

to make the investigations, inspections and otherwise perform the duties imposed by this act.

To whom act  
does not apply.

Sec. 6344-2. Nothing in this act shall apply to licensees who obtain licenses under sections 6346-1 to 6346-10, both inclusive, of the General Code of Ohio, or to national banks or state banks, or building and loans.

When commis-  
sioner shall re-  
voke license.

Sec. 6346. Any person, firm, partnership, corporation or association, and any agent, officer, or employee thereof, violating any provision of this act, shall for the first offense be fined not less than fifty dollars nor more than two hundred dollars, and on conviction for a second offense be fined not more than five hundred dollars or imprisoned for not more than six months or both. The commissioner of securities upon such second conviction shall revoke any license theretofore issued to such person, firm, partnership, corporation or association.

Repeals.

SECTION 2. Said original sections 6337, 6338, 6339, 6340, 6341, 6342, 6343, 6344, 6345 and 6346 of the General Code be, and the same are hereby repealed.

The sectional  
numbers in this  
act are in con-  
formity to the  
General Code.  
JOHN G. PRICH,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 14, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

233 G.

[Senate Bill No. 263.]

## AN ACT

To make appropriations for additions and betterments of State institutions under the control of the Director of Public Welfare, making a temporary transfer from the general revenue fund, and providing for the reimbursement of such fund from the collection of taxes for State building purposes, and providing for an appropriation out of the general revenue of the State for the rental of Longview Hospital or the purchase thereof.

*Be it enacted by the General Assembly of the State of Ohio:*

Appropriations  
for additions  
and betterments  
of state institu-  
tions.

SECTION 1. The following sums, for the purposes herein specified, are hereby appropriated from any monies coming into the treasury to the credit of the institutional building fund:



## DEPARTMENT OF PUBLIC WELFARE.

Appropriations  
for additions  
and betterments  
of state institu-  
tions.

## ATHENS STATE HOSPITAL

G. Additions and Better-  
ments —

G 2. Buildings—	
Additions to Dairy	
Barn .....	\$10,000 00
Tool shed .....	4,000 00
G 32. Other Capital Out- lay—	
Removing—Changing Heating and Light- ing System .....	10,000 00
Total .....	<u>\$24,000 00</u>

## BOYS' INDUSTRIAL SCHOOL

G 2. Buildings—	
Lumber Shed and Dry	
House .....	\$2,500 00
School House .....	65,000 00
Remodeling Four Cot- tages .....	80,000 00
G 31. Capital Equip- ment—	
Equipment New School	
House .....	4,000 00
Equipment for New Extension Hospital.	2,500 00
Total .....	<u>\$154,000 00</u>

## CLEVELAND STATE HOSPITAL

G 2. Buildings—	
Remodeling Infirmary, North and South Cottages .....	\$36,000 00
G 32. Other Capital Out- lay—	
Re-wiring .....	10,000 00
Total .....	<u>\$46,000 00</u>

## COLUMBUS STATE HOSPITAL

G 2. Buildings—	
Additional Story—Awl Cottage .....	\$4,000 00
Additional Story—Har- ris Cottage .....	5,000 00

Appropriations  
for additions  
and betterments  
of state institu-  
tions.

G 32. Other Capital Out- lay—	
Re-wiring .....	10,000 00
Renewal of Water and Heating Pipes ....	10,000 00
Total .....	<u>\$29,000 00</u>

## DAYTON STATE HOSPITAL

G 2. Buildings—	
Tuberculosis Shack...	\$12,500 00
Remodeling Basement.	2,000 00
Root Cellar .....	2,500 00
Slaughter House .....	1,500 00
House for Dairyman..	2,000 00
Fire Walls, Sprink- lers, Administration Building .....	25,000 00
Community Hall ....	75,000 00
Addition to Dining Room .....	5,000 00
Connecting House and Dining Room and Bath Room Equip- ment .....	5,000 00
G 32. Other Capital Out- lay—	
Re-wiring .....	10,000 00
Total .....	<u>\$140,500 00</u>

## OHIO HOSPITAL FOR EPILEPTICS

G 2. Buildings—	
Building for Hospital.	\$100,000 00
Laundry Building....	45,000 00
Silo .....	600 00
Dairy Barn.....	6,000 00
G 32. Other Capital Out- lay—	
Re-wiring .....	10,000 00
Total .....	<u>\$161,600 00</u>

## INSTITUTION FOR FEEBLE-MINDED.

G 2. Buildings—	
Bakeshop and Equip- ment .....	\$32,000 00
Laundry Building....	45,000 00
Tuberculosis Hospital.	40,000 00
Cottage .....	80,000 00

	Remodeling Refrigeration Plant—Columbus .....	4,500 00
G 31.	Capital Equipment—	
	Equipment Three Cottages .....	25,000 00
G 32.	Other Capital Outlay—	
	Run Around Track...	4,000 00
	Re-wiring .....	10,000 00
	Total .....	\$240,500 00

Appropriations  
for additions  
and betterments  
of state institu-  
tions.

## BUREAU OF JUVENILE RESEARCH

G 32.	Other Capital Outlay—	
	Fencing .....	\$1,000 00

## LIMA STATE HOSPITAL

G 2.	Buildings—	
	Horse Barn .....	\$9,000 00
	Storage Barn and Im- plement Shed .....	6,000 00
	Root Cellar .....	2,500 00
	Propagating House...	5,000 00
	Silo .....	700 00
	Slaughter House .....	1,500 00
	Total .....	\$24,700 00

## LONGVIEW HOSPITAL

G 32.	Other Capital Outlay—	
	Re-wiring .....	\$10,000 00

## MASSILLON STATE HOSPITAL

G 2.	Buildings—	
	Remodeling Barns....	\$2,500 00
	Hog Houses .....	2,500 00
	Cattle Hospital .....	6,000 00
	Industrial Building ..	20,000 00
	Remodeling Present Industrial Building.	6,000 00
	Total .....	\$37,000 00

Appropriations  
for additions  
and betterments  
of state institu-  
tions.

## NEW PRISON FARM

G 2. Buildings—	
Root Cellar .....	\$3,000 00
Construction New Penitentiary .....	100,000 00
Total .....	<u>\$103,000 00</u>

## OHIO STATE REFORMATORY

G 2. Buildings—	
Building .....	\$20,000 00
School and Chapel....	25,000 00
Moving and Rebuilding Greenhouse ..	2,500 00
Total .....	<u>\$47,500 00</u>

## OHIO REFORMATORY FOR WOMEN

G 2. Buildings—	
Cottage .....	\$50,000 00
Cottage for Superintendent .....	10,000 00
G 31. Capital Equipment—	
Equipment .....	3,000 00
Equipment for Cottage for Superintendent	2,000 00
Total .....	<u>\$65,000 00</u>

## OHIO STATE SANITORIUM.

G 2. Buildings—	
Two Shacks .....	\$15,000 00
G 31. Capital Equipment—	
Equipment for Shacks	2,000 00
G 32. Other Capital Outlay—	
Extending Hot Water System to Shacks...	1,200 00
Total .....	<u>\$18,200 00</u>

## OHIO SOLDIERS' AND SAILORS' HOME.

G 2. Buildings—	
Remodeling Propagating House .....	\$1,000 00

Dormitory for Reformatory Boys .....	25,000 00
G 32. Other Capital Outlay—	
Re-wiring .....	10,000 00
Total .....	\$36,000 00

Appropriations  
for additions  
and betterments  
of state institutions.

## TOLEDO STATE HOSPITAL

G 2. Buildings—	
Silo .....	\$700 00
Remodeling Kitchen ..	12,500 00
Remodeling Bakeshop	4,000 00
Additions to Dairy	
Barn .....	15,000 00
Feed Storage and Root	
Cellar .....	5,500 00
Propagating House ..	3,000 00
Remodeling Cottage	
for Hydrotherapy ..	3,500 00
Wagon Shed .....	1,100 00
G 32. Other Capital Outlay—	
Re-wiring .....	10,000 00
Total .....	\$55,300 00

Total Additions and Betterments .....\$1,193,300 00

In addition to the above items, the following sum, to be allotted to other additions and betterments including remodeling and extending existing buildings and constructing and equipping new buildings at institutions under the control of the department of public welfare, as determined by the director of public welfare subject to the approval of the "Controlling Board" created by H. B. No. 301, Eighty-fourth General Assembly.....\$2,556,700 00

SECTION 2. The sums appropriated by section 1 of this act shall not be used to pay liabilities or deficiencies existing prior to July 1, 1921, or incurred subsequent to June 30, 1923. Said appropriations shall be for the biennial period beginning on July 1, 1921. The auditor of state is hereby authorized and directed to transfer from the general revenue fund to the educational building fund such amount, not to exceed \$1,193,300.00 as may be necessary to provide for expenditures in pursuance of such appropriations prior to the first semi-annual settlement of the tax levied for the institutional building fund and to reimburse the general revenue fund accordingly out of the proceeds of such succeeding settlements for such institutional building fund.

Transfer from  
general revenue  
to educational  
building fund  
authorized.

Rental and purchase of Longview hospital.

SECTION 3. There is hereby appropriated out of any monies in the state treasury to the credit of the general revenue fund not otherwise appropriated the sum of \$10,000.00 for the fiscal years 1921-22 and 1922-23 to be applied by the Department of Public Welfare under the provisions of Sections 2034-1 to 2034-7, General Code, on account of the rental or purchase price of Longview Hospital and Hamilton County Infirmary.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

234 G.

[Substitute Senate Bill No. 109.]

## AN ACT

To fix the standard for loaf of bread.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 1090-22.

Bakery defined.

SECTION 1. The word bakery is defined, for the purpose of this act, as a building or part of a building wherein is carried on the production, preparation, packing, storing, display or sale of bread, cake, pies or other bakery products, including any separate room or rooms used for the convenience or accommodation of the workers; Provided, that sections three, four, six, seven, eight and twenty shall not apply to retail stores where bakery products are sold but not produced.

Sec. 1090-23.

Standards prescribed by the secretary of agriculture.

SECTION 2. The standards and requirements herein after prescribed shall conform to such rules as may be adopted by the secretary of agriculture.

Sec. 1090-24.

Specifications as to construction of bakeries.

SECTION 3. Every bakery shall be constructed, drained, lighted, ventilated and maintained in a clean and sanitary condition, and when and where necessary screened against flies, shall have plumbing and drainage facilities together with suitable wash basins, wash sinks and toilets or water closets, which shall be kept in a clean and sanitary condition. The said toilets or water closets shall be in rooms having no direct connection with any room in which bakery products or ingredients are prepared, stored, handled, or displayed.

- Sec. 1090-25. SECTION 4. In connection with every bakery a suitable room or rooms shall be provided for the changing and hanging of the wearing apparel of the workers or employes, which shall be separate and apart from the work, storage and sales rooms, and shall be kept in a clean and sanitary condition. Room for changing apparel.
- Sec. 1090-26. SECTION 5. No person shall sit, lie or lounge or be permitted to sit, lie or lounge upon any of the tables, shelves, boxes or other equipment or accessories used in connection with the production, preparation, packing, storing, display or sale of bakery products. No animals or fowls shall be kept in or permitted to enter any bakery. Sitting on tables, shelves, boxes, etc., prohibited.
- Sec. 1090-27. SECTION 6. Before beginning work of preparing, mixing or handling any ingredients used in the production of bakery products, every person engaged in such work shall wash the hands and arms, and after using toilets or water closets, every person therein engaged shall wash the hands and arms thoroughly and then rinse in clean water; and for this purpose the owner or operator of the bakery shall provide sufficient facilities. Washing before handling ingredients or products.
- Sec. 1090-28. SECTION 7. No owner or operator of a bakery shall require or permit any person affected with any contagious, infectious or other disease or physical ailment which may render such employment detrimental to the public health, or any person who refuses to submit to the examination required in section eight, to work therein. Employment of person having contagious or infectious disease, prohibited.
- Sec. 1090-29. SECTION 8. The state department of health or commissioner of health or the chief health officer in the several cities and towns, or the secretary of agriculture may require any person intending to work or working in a bakery to submit to a thorough examination for the purpose of ascertaining whether or not he is afflicted with any contagious, infectious or other disease or physical ailment. All such examinations shall be made by the district health commissioner. Examination of employe or applicant may be required.
- Sec. 1090-30. SECTION 9. The floors, walls and ceilings of each bakery, the equipment used in the handling or preparation of bakery products or their ingredients, and the boxes, baskets and the interior of the vehicles and other receptacles in which bakery products are transported shall be kept by the owner or operator of the bakery or the carrier or distributor of said product in a clean and sanitary condition and at all times free from dirt, dust, flies, insects and other contaminating matter. Shipping baskets and other containers for transporting bakery products shall be kept clean and shall not be used for any other than bakery products by any person or concern. Building, receptacles, etc., must be kept in sanitary condition.
- Sec. 1090-31. SECTION 10. All show cases, shelves and other places where unwrapped bakery products are sold or exposed for sale shall be kept by the dealer well covered, properly ventilated, adequately protected from dust, flies and other contaminating matter, and shall at all times be maintained in a sweet, clean and wholesome condition. Show cases must be covered and ventilated.

## Sec. 1090-32.

Product and receptacles kept beyond reach of contamination.

SECTION 11. Boxes or other permanent receptacles or containers for the storing, receiving or handling of bakery products shall be so placed and constructed as to be beyond the reach of contamination from streets, alleys and sidewalks, or from animals, and shall be kept by the dealer clean and sanitary.

## Sec. 1090-33.

Storing and handling must be sanitary.

SECTION 12. All bakery products and their ingredients shall be stored, handled, transported and kept in such manner as to protect them from spoilage, vermin, contamination, disease and unwholesomeness. No ingredient, or material, including water, shall be used therein which is spoiled or contaminated or which may render the product unwholesome, unfit for food, or injurious to health.

## Sec. 1090-34.

Ingredients used must be labeled, etc.

SECTION 13. No ingredient shall be used in any bakery product likely to deceive the consumer or which lessens its nutritive value without being plainly labeled, branded or tagged, or having a sign making plain to the purchaser or consumer the actual ingredients; provided, however, that in case of unwrapped bread to be sold by the loaf, such labeling, branding or tagging shall be placed upon the same label, as hereinafter provided, which shows the name of the manufacturer and the net weight of the loaf. Said ingredients and the sale or offering for sale of said products shall otherwise comply with the existing provisions of law regulating the sale of foods and not inconsistent herewith.

## Sec. 1090-35.

Return of product from customer to dealer or baker, etc., prohibited.

SECTION 14. No bakery products, except as hereinafter provided, shall be returned from any consumer or other purchaser to the dealer or baker, nor from any dealer to the baker, and no baker or dealer shall directly or indirectly accept any returns or make any exchange of bakery products from any dealer, restaurant or hotel-keeper, consumer or other person. All such products shall be kept moving to the consumer without unreasonable delay and without any exchange, return or practice whatsoever which may disseminate contamination or disease or inflict fraud upon them, among consumers, or disseminate "rope," so-called, or other infection in bakeries, or which may cause waste in the food supply; provided, that this section shall not apply to crackers or other bakery products which are packed at the place of production in cartons, cans, boxes or similar permanent containers, and which are so packed and sealed at such place as to fully insure their freshness and wholesomeness and protect them from contamination, adulteration and deterioration in the course of trade, and which remain in the original unbroken package as packed, except in so far as may be necessary to prevent waste in the food supply; and provided, further that "permanent containers" shall not be construed to include the paper or parchment wrappers used in wrapping loaves of bread.

## Sec. 1090-36.

Disposition of unsold stock; rules may be established.

SECTION 15. The secretary of agriculture may, by rule establish such exemptions as may be necessary to facilitate the sale of any accumulated or unsold stocks of wholesome bakery products, and in other cases not inconsistent with the purposes of this act.



Sec. 1090-37.

SECTION 16. Bread shall not be sold or offered or exposed for sale otherwise than by weight and shall be manufactured for sale and sold only in units of sixteen or twenty-four ounces, or multiples of one pound. When multiple loaves are baked each unit of the loaf shall conform to the weight required by this section. The weights herein specified shall be construed to mean net weights twelve hours after baking and to be determined by the average weight of at least twenty-five loaves. Such unit weights shall not apply to rolls and such bread as shall be defined as fancy bread by the secretary of agriculture. Every loaf of bread manufactured for sale, sold, offered or exposed for sale shall have affixed thereon a plain statement in plain position of the weight of the loaf of bread, the business name of the maker, baker, or manufacturer. In the case of wrapped bread such information shall be stated on the wrapper of each loaf and in the case of unwrapped bread shall be stated by means of a pan impression or other mechanical means or shall be stated on a label using plain legible type. Such label affixed to an unwrapped loaf shall not be affixed in any manner or with any gums or pastes which are unsanitary and unwholesome, and there shall not be more than one label of a loaf or a unit.

Bread sold by weight; units specified.

Statements on loaf or wrapper, required.

Sec. 1090-38.

SECTION 17. The secretary of agriculture shall prescribe such rules and regulations as may be necessary to enforce the preceding section, including reasonable tolerances or variations within which all weights shall be kept, provided, however, that such tolerances or variations shall not exceed one ounce per pound over or under the standard unit for single loaves, provided, however, that tolerance permitted in the weighing of twenty-five or more loaves shall not exceed one-half ounce per pound. The said secretary, and under his direction, the local sealers of weights and measures, shall cause the provisions of this section to be enforced. Before any prosecution is begun under this section the parties against whom complaint is made shall be notified and be given an opportunity to be heard by said secretary.

Rules and regulations for enforcement of provisions of law; notice before prosecution.

Sec. 1090-39.

SECTION 18. If, after inspection, it is found that a bakery is not constructed, maintained, operated, or the distribution of its products not conducted in accordance with this act, notice in writing shall be given to the owner or manager, stating the delinquency, and fixing a reasonable time within which the same shall be remedied and for a hearing to any party in interest.

Notice in writing to delinquent owner or manager.

Sec. 1090-40.

SECTION 19. In case a bakery is unfit for the production and handling of food or dangerous to the health of its employes, the state or city department making the inspection may order the bakery or such part as may be found so unfit or so dangerous closed; provided, that any aggrieved person shall have the right to be heard before said department, or board, as the case may be, and shall also have a right of appeal, before or after the execution of such order, but within thirty days of its issuance, to the courts.

When and how bakery may be ordered closed.

## Sec. 1090-41.

Registration of  
bakery within  
60 days; annual  
fee.

SECTION 20. Within sixty days after the taking effect of this act each bakery in the state of Ohio shall register with the secretary of agriculture. For such registration the owner or operator of each bakery shall pay an annual fee of \$2.00 for each oven operated in said bakery and said registration shall be renewed annually during the month of September. The registration of said bakery shall show its location, including street and number, name of ownership and name of manager.

## Sec. 1090-42.

Building plans  
and equipment  
must be ap-  
proved; right of  
appeal.

SECTION 21. No new bakery shall be established unless the building plans and equipment proposed to be used have been approved by the department of agriculture or by the board of health of the city or town. Said department or board shall refuse a permit to such bakery if the building and equipment do not comply with the provisions of this act and the rules and regulations made hereunder; provided, however, that any party in interest shall have the right of appeal to the department of agriculture or to the courts. Said department or court may affirm, reject or modify the findings of the board, and the said board shall thereupon proceed in accordance with the order of the court or department.

## Sec. 1090-43.

Penalty for  
violation.

SECTION 22. A violation of any provision of this act or any rule or regulation adopted herein, shall, for the first offense, be fined not less than \$25.00 nor more than \$100.00, and for each subsequent offense not less than \$100.00 nor more than \$300.00.

SECTION 23. All acts or parts of acts inconsistent herewith are hereby repealed.

The sectional  
numbers on the  
margin hereof  
are designated  
as provided by  
law.  
JOHN G. PRICH,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 13, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,

*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

235 G.

[House Bill No. 331.]

# AN ACT

To amend section 11531 of the General Code, relative to extending  
authority to take depositions.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 11531 of the General Code be  
amended to read as follows:

Sec. 11531. Depositions may be taken out of this state before a judge, justice or chancellor of any court of record, a justice of the peace, notary public, mayor or chief magistrate of any municipal corporation, a commissioner appointed by the governor of this state to take depositions, or any person authorized by a special commission from this state to take depositions, either in the United States or in any foreign country, and in any foreign country by any consular officer of the United States within his consular district.

Who may take depositions out of the state.

SECTION 2. That original section 11531 of the General Code be, and the same is hereby repealed.

he sectional number in this act is in conformity to the General Code.  
JOHN G. PRICH, Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

236 G.

[Amended Senate Bill No. 81.]

## AN ACT

Authorizing cities, villages or counties, to acquire, maintain and operate playgrounds, playfields, gymnasiums, public baths, swimming pools, and indoor recreation centers, and authorizing school districts to join in the maintenance and operation of such activities, and authorizing the issue of bonds and the levy of taxes for such purposes.

*Be it enacted by the General Assembly of the State of Ohio:*

Sec. 4065-1.

SECTION 1. That the council or other legislative authority of any city, village, or the county commissioners of any county, may designate and set apart for use as playgrounds, playfields, gymnasiums, public baths, swimming pools, or indoor recreation centers, any lands or buildings owned by any such city, village or county, and not dedicated or devoted to other public use. Such city, village or county may, in such manner as may be authorized or provided by law for the acquisition of land or buildings for public purposes in such city, village or county, acquire lands or buildings therein for use as playgrounds, playfields, gymnasiums, public baths, swimming pools or indoor recreation centers.

Cities, villages and counties may maintain and operate playgrounds, gymnasiums, public baths, recreation centers.

Sec. 4065-2.

SECTION 2. The authority to supervise and maintain playgrounds, playfields, gymnasiums, public baths, swimming pools, or indoor recreation centers, may be vested in any existing body or board, or in a recreation board, as

Supervision and maintenance vested in whom; employment of leaders, etc.

the city or village council or the county commissioners shall determine. The local authorities of any such city, village or county, may equip, operate and maintain, the playgrounds, playfields, gymnasiums, swimming pools, public baths or indoor recreation centers, as authorized by this act. Such local authorities may, for the purpose of carrying out the provisions of this act, employ play leaders, recreation directors, supervisors, superintendents or any other officers or employees as they may deem proper.

Sec. 4065-3.

Recreation board, powers and duties; vacancy.

SECTION 3. If the city or village council shall determine that the power to equip, operate, and maintain playgrounds, playfields, gymnasiums, public baths, swimming pools, or recreation centers, shall be exercised by a recreation board, they may establish in said city or village, such recreation board which shall possess all the powers and be subject to all the responsibilities of the respective local authorities under this act. Such board when established shall consist of five persons, and two of the members shall be members of the board of education of the city or village school district. The board shall be appointed by the mayor of such city or village, and shall serve for terms of five years, or until their successors are appointed, except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter. Members of such board shall serve without pay. Vacancies in such board, occurring otherwise than by expiration of term, shall be for the unexpired term and shall be filled in the same manner as original appointments.

Sec. 4065-4.

Organization of board.

SECTION 4. The members of a recreation board established pursuant to this act shall elect their own chairman and secretary, and select all other necessary officers to serve for a period of one year, and may employ such persons as may be needed. As authorized by this act, such board shall have power to adopt rules and regulations for the conduct of all business within its jurisdiction.

Sec. 4065-5.

Joint acquisition and maintenance.

SECTION 5. Any two or more cities or villages, or any city or village, or any city or village and county, may jointly acquire property for and operate and maintain any playgrounds, playfields, gymnasiums, public baths, swimming pools, or indoor recreation centers. Any school district shall have power to join with any city, village or county, in ~~equipping, operating and maintaining playgrounds, playfields, gymnasiums, public baths, swimming pools, and indoor recreation centers, and may appropriate money therefor.~~

Sec. 4065-6.

Bond issue authorized.

SECTION 6. The city or village council, or the county commissioners, may issue bonds for the purpose of acquiring lands or buildings for playgrounds, playfields, gymnasiums, swimming pools, public baths, or indoor recreation centers, and for the equipment thereof.

Sec. 4065-7.

How expense paid.

SECTION 7. All expenses incurred in the operation of such playgrounds, playfields, gymnasiums, swimming

pools, public baths, and indoor recreation centers, established as herein provided, shall be payable from the treasury of such city, village, county or school district. The local authorities of such city, village, county or school district, having power to appropriate money therein, may annually appropriate and cause to be raised by taxation an amount for the purpose of maintaining and operating playgrounds, playfields, gymnasiums, public baths, swimming pools and recreation centers.

SECTION 8. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

237 G.

[Amended Senate Bill No. 256.]

## AN ACT

To amend section 7200 of the General Code, relative to authorizing the county commissioners to construct a railroad switch.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 7200 of the General Code be amended to read as follows:

Sec. 7200. The county commissioners may purchase such machinery, tools or other equipment for the construction, improvement, maintenance or repair of the highway, bridges and culverts under their jurisdiction as they may deem necessary. The county commissioners may also at their discretion purchase, hire or lease automobiles, motorcycles or other conveyances and maintain the same for the use of the county surveyor and his assistants when on official business. All such machinery, tools, equipment and conveyances belonging to the county shall be under the care and custody of the county surveyor. All such machinery, tools, equipment and conveyances owned by the county shall be plainly and conspicuously marked as the property of the county. The county surveyor shall annually on the fifteenth day of November make, or cause to be made, a written inventory of all such machinery, tools, equipment and conveyances indicating each article and stating the value thereof and the estimated cost of all

Purchase of machinery and equipment; care and custody; annual inventory; housing and storing.

The sectional numbers on the margin hereof are designated as provided by law.  
JOHN G. PRICE,  
*Attorney General.*

necessary repairs thereto and deliver the same to the county commissioners, who shall cause the same to be placed on file. At the same time he shall file with the county commissioners his written recommendations as to what machinery, tools, equipment and conveyances should be purchased for the use of the county during the ensuing year and the probable cost thereof. The county commissioners shall provide a suitable place or places for housing and storing machinery, tools, equipment, materials and conveyances owned by the county, and may purchase the necessary material and construct, or enter into an agreement with a railroad company to construct, one switch or spur track from the right of way of such railroad company to land or storage house owned by the county. All expenditures authorized by the provisions of this section shall be paid out of any available road funds of the county.

SECTION 2. That original section 7200 of the General Code be, and the same is hereby repealed.

Agreement with  
railroad com-  
pany for con-  
struction of  
switch to store-  
house.

The sectional  
number in this  
act is in con-  
formity to the  
General Code.  
JOHN G. PRICE,  
Attorney  
General.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 12, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus,  
Ohio, on the 8th day of June, A. D. 1921.

238 G.

[House Bill No. 22.]

## AN ACT

To amend section 12432 of the General Code, relative to the penalty for robbery.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That section 12432 of the General Code be amended to read as follows:

Sec. 12432. Whoever, by force or violence, or by putting in fear, steals and takes from the person of another anything of value is guilty of robbery, and shall be imprisoned in the penitentiary not less than ten years nor more than twenty-five years.

Penalty for  
robbery.

SECTION 2. That original section 12432 of the General Code be, and the same is hereby repealed.

The sectional number in this act is in conformity to the General Code.  
JOHN G. PRICE,  
Attorney General.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Passed May 12, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

239 G.

[Senate Bill No. 261.]

## AN ACT

To make an appropriation of the educational equalization fund for the equalization of educational advantages throughout the state.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. There is hereby appropriated from the moneys coming into the treasury to the credit of the educational equalization fund during the fiscal biennium beginning July 1, 1921, and ending June 30, 1923, and from any moneys during such period coming into the treasury to the credit of the reserve in the state common school fund heretofore provided by law, the following sums for the purposes of the director of education in the equalization of educational advantages throughout the state in the manner provided by law:

Appropriation of the educational equalization fund.

Maintenance—

	First Year.	Second Year.	Biennium.
H 8. Contributions ---	\$750,000 00	\$1,500,000 00	\$2,250,000 00

The moneys herein appropriated shall be available for the uses and purposes herein specified in the payment of liabilities incurred prior to June 30, 1923.

This act is not of a general and permanent nature and requires no sectional number.  
JOHN G. PRICE,  
Attorney General.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Passed May 13, 1921.  
Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

240 G.

[Senate Bill No. 267.]

## AN ACT

To repeal section 2284-2 of the General Code relating to the printing and sale of highway maps of Ohio.

*Be it enacted by the General Assembly of the State of Ohio:*

Repeal.

SECTION 1. That section 2284-2 of the General Code be and the same is hereby repealed.

This act does not require a sectional number.  
JOHN G. PRICH,  
Attorney General.

CLARENCE J. BROWN,  
President of the Senate.  
RUPERT BEETHAM,  
Speaker of the House of Representatives.

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
Governor.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

241 G.

[Amended Senate Bill No. 239.]

## AN ACT

To amend sections 2989 and 2996 of the General Code, to provide increased compensation for probate judges.

*Be it enacted by the General Assembly of the State of Ohio:*

SECTION 1. That sections 2989 and 2996 of the General Code be, and the same are hereby amended to read as follows:

Salary payable monthly.

Sec. 2989. Each county officer hereinafter named shall receive out of the general county fund the annual salary hereinafter provided, payable monthly upon the warrant of the county auditor, and such additional compensation or salary as may be provided by law.

Salary instead of fees; maximum.

Sec. 2996. Such salaries and compensation shall be instead of all fees, costs, penalties, percentages, allowances and all other perquisites of whatever kind which any of such officials may collect and receive, provided that in no case shall the annual salary and compensation paid to any such officer exceed six thousand dollars, except in the case of the probate judge whose annual salary shall not exceed nine thousand dollars.



SECTION 2. That said original sections 2989 and 2996 of the General Code be, and the same are hereby repealed.

The sectional numbers in this act are in conformity to the General Code.  
JOHN G. PRICE,  
*Attorney General.*

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Passed May 14, 1921.

Approved June 7, 1921.

HARRY L. DAVIS,  
*Governor.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the 8th day of June, A. D. 1921.

242 G.

[House Joint Resolution No. 1.]

## JOINT RESOLUTION

Relative to the death of Mrs. Joseph T. Tracy.

WHEREAS, The House of Representatives of the Eighty-fourth General Assembly has heard with profound sorrow and regret of the death of Mrs. Joseph T. Tracy, wife of Joseph T. Tracy, Auditor-elect.

*Resolved*, That we, the members of the Eighty-fourth General Assembly, extend to him, his family and friends, our deep and lasting sympathy and condolence.

*Be it further resolved*, That as a further evidence of our respect to her memory this resolution be adopted and spread upon the Journal, and that a copy of the same be forwarded to Hon. Joseph T. Tracy and family.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*

Adopted January 10, 1921.

1.

[Amended Senate Joint Resolution No. 1.]

## JOINT RESOLUTION

Relative to committee to wait on governor.

*Be it resolved by the General Assembly of the State of Ohio:*

That a committee of three on the part of the Senate and three on the part of the House of Representatives be appointed to wait upon and inform the Governor that the two houses of the Eighty-fourth General Assembly have organized and are ready to receive any communication he may desire to transmit.

CLARENCE J. BROWN,  
*President of the Senate.*  
 RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted January 3, 1921.

2.

[Senate Joint Resolution No. 2.]

## JOINT RESOLUTION

Relative to joint assembly to canvass the vote.

*Be it resolved by the General Assembly of the State of Ohio:*

That the two houses of the General Assembly meet in joint convention in accordance with the provisions of the constitution and the law, on Tuesday, January 4, 1921, at 11 o'clock a. m., to witness the opening of

the votes cast at, and hearing the publishing and declaring of the result of the election held on the first Tuesday after the first Monday in November, 1920, for governor and other constitutional state officers.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted January 4, 1921.

3.

[Senate Joint Resolution No. 3.]

### JOINT RESOLUTION

Relative to the inauguration.

*Be it resolved by the General Assembly of the State of Ohio:*

That a committee of five on the part of the Senate and five on the part of the House of Representatives, be appointed to make the necessary arrangements for the inauguration of the governor-elect, Honorable Harry L. Davis, on Monday, January 10, 1921.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted January 4, 1921.

4.

[Senate Joint Resolution No. 4.]

### JOINT RESOLUTION

Relative to adjournment.

*Be it resolved by the General Assembly of the State of Ohio:*

That when the two houses of the General Assembly adjourn, that it be to meet January 10, 1921, at 10 a. m.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted January 4, 1921.

5.

[Senate Joint Resolution No. 5.]

### JOINT RESOLUTION

Relative to inaugural ceremonies.

*Be it resolved by the General Assembly of the State of Ohio:*

That the two houses of the General Assembly meet in joint conven-

tion Monday, January 10, 1921, at 11:30 a. m., for the purpose of witnessing the inaugural ceremonies of Governor-elect Hon. Harry L. Davis.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted January 3, 1921.

6.

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[House Joint Resolution No. 3.]

### JOINT RESOLUTION

To provide for the continuation of Americanization work, and for aid in the assimilation of foreign born residents.

WHEREAS, By act of the Eighty-third General Assembly, there was created an Americanization Committee for the purpose of carrying on Americanization work and patriotic education in the state of Ohio; and

WHEREAS, By virtue of the terms of said act, said committee ceased to exist December 31st, 1920; and

WHEREAS, The work of said committee was attended by such excellent results that it becomes advisable to continue the same and preserve a continuity of said work; now therefore

*Be it resolved by the Senate and the House of Representatives of the State of Ohio:*

That there be created a Joint Americanization Committee consisting of three senators to be appointed by the president of the Senate and three representatives to be appointed by the speaker of the House who shall have full power and authority to continue Americanization work in Ohio;

*Be It Further Resolved,* That said committee continue and promote programs for Americanization and patriotic education, cooperate with the federal agencies in the promotion of Americanization and patriotic education, aid in the correlation of aims and work carried on by local bodies, private individuals and organizations, and to study the plans and methods which are proposed or in use in such work. Such committee shall employ such methods as in its judgment will tend to bring into sympathetic and mutually helpful relations, the state and its residents of foreign origin, to protect immigrants from exploitation and abuse, to stimulate their acquisition and mastery of the English language, to develop their understanding of American government, institutions and ideals, and in general to promote their assimilation and naturalization.

*Be It Further Resolved,* That said joint committee shall operate and function from the date of its appointment until July 1st, 1921, and that it shall have full power and authority to employ a director of Americanization work and such assistants as may be necessary and shall define their duties and fix their compensation. The expenses of an employe when traveling in the interest of the committee shall be paid from the funds hereinafter appropriated:

The members of the committee shall be allowed and paid their actual and necessary traveling expenses when traveling in the interest

of the committee. The compensation of the director and other assistants and all traveling and other expenses shall be paid out on the warrant of the auditor of state on vouchers signed by the director approved by the chairman of the committee, and shall be paid out of an appropriation made therefor by the General Assembly; and

*Be It Further Resolved*, That the finance and appropriation committees of the House of Representatives and the Senate are authorized and directed to make a sufficient appropriation for the purpose of carrying out the provisions of this resolution.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Adopted January 20, 1921.

7.

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[House Joint Resolution No. 5.]

### JOINT RESOLUTION

Relating to Ohio homesteads of former presidents of the United States.

WHEREAS, Through the generous liberality of Colonel Webb C. Hayes, Spiegel Grove, the home estate of his father, the late Rutherford B. Hayes, former president of the United States, with trust funds for its perpetual maintenance, representing an aggregate value of over \$500,000, has been transferred to the state of Ohio in the custody of the Ohio State Archaeological and Historical Society; and

WHEREAS, The modest house in which was born Ulysses S. Grant, commander-in-chief of the armies that preserved the union and liberated the slave and later president of the United States, is appropriately preserved on our State Fair Grounds; and

WHEREAS, It should be the policy of the state to aid and encourage the preservation of former homesteads of her illustrious sons who have been called to the high office of president of our republic; therefore

*Be it resolved by the General Assembly of the State of Ohio:*

That a committee of six members, three from the House of Representatives, chosen by the speaker, and three from the Senate, chosen by the lieutenant governor, be appointed to inquire into the condition of the homestead of former President James A. Garfield, at Mentor, Ohio, and the homestead of former President William McKinley, at Canton, Ohio, and report the same to the General Assembly with any recommendations that said committee may deem proper.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Adopted January 25, 1921.

8.

[Amended Senate Joint Resolution No. 6.]

### JOINT RESOLUTION

Proposing to amend article VIII of the constitution of the state of Ohio, relative to the creation of debts by the state of Ohio.

*Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each House concurring therein:*

That there shall be submitted to the electors of the state, in the manner prescribed by law, at the general election to be held on the first Tuesday after the first Monday in November, 1921, a proposition to amend article VIII of the constitution of the State of Ohio by adding thereto immediately after section 2 of said article a new section as follows:

2a. "The Commissioners of the Sinking Fund", created in this article, shall forthwith, upon the adoption of this amendment proceed to issue and sell from time to time, under such regulations as they may by order promulgate for not less than par and accrued interest, not to exceed the total sum of twenty-five millions (\$25,000,000.00) of dollars of the bonds of the state of Ohio, bearing interest at not to exceed five and one-half per cent per annum, payable semi-annually and maturing in twenty equal semi-annual installments, commencing not later than the first day of April, 1923. Such bonds and the interest thereon as income shall be exempt from all taxes levied by the state of Ohio or any taxing district thereof. The proceeds of the sale of said bonds shall be paid into the treasury of the state of Ohio, subject to be paid out, without appropriation by the General Assembly upon the order of the said "The Commissioners of the Sinking Fund", the same to be known as "The World War Compensation Fund". The said "The Commissioners of the Sinking Fund" shall by their certificate filed with the auditor of the state, add to the state levy for taxation, in the year 1922 and thereafter during the life of such bonds, in addition to all other taxes now or hereafter provided by law, such amounts annually as shall be necessary, as a tax levy for the retirement of said bonds, and the payment of the interest thereon; and said levy may also provide for the payment of the expenses of administration hereof. Such levy shall not be considered in applying any limitation on aggregate tax rates now or hereafter provided by law. Said taxes when received shall be paid into a fund in the treasury of the State of Ohio to be paid out without appropriation by the General Assembly upon the order of the said "The Commissioners of the Sinking Fund" for the purpose of the payment, or retirement in other manner, of the said bonds, interest thereon, and expenses of administration hereof. As soon as may be, the said, "The Commissioners of the Sinking Fund" shall, under such regulations as they may from time to time promulgate, pay out of said fund to persons resident in Ohio at the time of the commencement of service who served honorably on active service in the army, navy, or marine corps of the United States of America, or being also citizens of the United States, in similar forces of any of the governments associated with the United States in the world war, with the rank or grade of not higher than captain in the army or marine corps, or corresponding grade in the navy, between the dates of April 6, 1917, and November 11, 1918, or their heirs at law, adjusted compensa-

tion for their full period of active service to the date of separation therefrom, at the rate of ten (\$10.00) dollars per month, but not to exceed two hundred and fifty (\$250.00) dollars. No payment shall be made to any such person, who refused on conscientious, political or other grounds to subject himself to military discipline or to render unqualified service, or who, while in such service, was separated therefrom under circumstances amounting to a dishonorable discharge. The said "The Commissioners of the Sinking Fund" by order shall make regulations; providing for the assignment and payment of the whole or part of any of such payment to a fund to be retained by the said "The Commissioners of the Sinking Fund," for the purpose of erecting and maintaining, under such laws as shall be enacted for that purpose, hospitals for the relief of veterans of the world war; providing against any other sale or assignment or fees charged for the collection of said amounts; providing against the enforcement of the claims of creditors as against such payments; imposing penalties for violations of such regulations; fixing from time to time limitations for the presentation of claims for said payments; providing for the contracting and paying of the necessary expenses of administration hereof and such other regulations as are deemed necessary and proper for the administration and payment of said fund. The full faith and credit of the state of Ohio is hereby pledged for the payment of said bonds. The people of the state of Ohio hereby declare that they have enacted this special amendment to meet the specific emergency covered thereby and they declare it to be their intention to in no manner affect or change any of the existing provisions of this constitution except as herein set forth. The provisions of this section shall be self-executing. Upon the retirement of all of the said bonds and payment of all claims presented within the limitations of time as prescribed as aforesaid the said "The Commissioners of the Sinking Fund" shall render a final report to the General Assembly and any balance remaining in the said funds shall be disposed of as shall be provided by law.

*Be it further resolved,* That at such election herein provided for, for the submission of this amendment to the electors of the state, the same shall be placed on the official ballot in the manner prescribed by law and shall be designated as follows:

TO AMEND ARTICLE VIII OF THE CONSTITUTION  
TO PROVIDE FOR ISSUING BONDS FOR AD-  
JUSTED COMPENSATION FOR SERVICE IN  
THE WORLD WAR.....YES

TO AMEND ARTICLE VIII OF THE CONSTITUTION  
TO PROVIDE FOR ISSUING BONDS FOR AD-  
JUSTED COMPENSATION FOR SERVICE IN  
THE WORLD WAR.....NO

*And be it further resolved,* That the required publication of the said proposed amendment shall be made and the form of ballot to be used in said election for the submission thereof shall be prepared by the secretary of state in conformity with the above provisions. If a majority of the electors voting on said amendment shall be ascertained, according to law, to have voted in favor thereof, the governor shall make

proclamation thereof forthwith and this amendment shall take effect at the date of said proclamation.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted February 9, 1921.

9.

[Amended Senate Joint Resolution No. 11.]

### JOINT RESOLUTION

Relative to printing additional copies of Senate Bill No. 53.

*Be it resolved by the General Assembly of the State of Ohio:*

That the clerk of the Senate be authorized and directed to have printed three hundred (300) additional copies of Senate Bill No. 53—Mr. Endley. Also 600 copies of H. B. No. 111—Mr. Bing, of Gallia; 300 copies of H. B. No. 112—Mr. Morris and 300 copies of H. B. No. 2—Mr. Davis.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted February 9, 1921.

10.

[Senate Joint Resolution No. 12.]

### JOINT RESOLUTION

Relative to the appointment of a committee to inquire into and investigate the transactions of the state highway department and to recommend such measures as may be essential for the better conduct of said department.

*Be it resolved by the General Assembly of the State of Ohio:*

WHEREAS, It is reported that in the conduct of the affairs of the state highway department, especially as to the letting of certain contracts and the purchase of material for the use of said department and on state highways, bids have been received and accepted and contracts made in excess of the market value of the materials so purchased and in excess of the estimate for the improvement of certain of the roads of the state, and that said contracts have resulted in financial disadvantage and great loss to the state of Ohio, and

WHEREAS, It is further charged that there has existed collusion among bidders for contracts and it is currently reported that roads have been constructed and improved by force account, and that the state has suffered a loss of large sums of money by reason of collusion which has existed between the contractors and the sub-contractors, all of which it is charged the state highway department either had knowledge of or should have had such knowledge; and,



WHEREAS, Certain charges or statements have been made which tend to discredit the highway department in the conduct of its affairs.

In justice to the highway department, now, therefore,

*Be it resolved by the General Assembly of the State of Ohio:*

That three members of the Senate be appointed by the president of the Senate and three members of the House of Representatives be appointed by the speaker thereof, who shall constitute a committee which shall, by and with the assistance of the attorney general, make an investigation of the conduct of the affairs of the highway department of the state of Ohio;

Said committee shall have full power to summon witnesses, to compel their attendance; to administer oaths relative to their testimony, to make examinations and to compel the production of whatever books, records and documents may be necessary for the full and complete investigation of the subject matter; said committee shall proceed with all due promptness to discharge its duties and shall have authority to employ an expert investigator or expert investigators and such stenographers and clerical assistants as may be necessary; and upon the completion thereof, shall make a report of its findings and such recommendations as the committee deems essential to cure abuses or errors found in the conduct of the state highway department;

Said committee may prosecute its investigation by holding sessions in such place or places of the state as it thinks proper to carry out the provisions of this resolution; said committee is authorized to expend from the money heretofore or hereinafter appropriated to discharge the expense of legislative committees, such sum or sums of money as may be necessary not exceeding fifteen hundred (\$1500.00) dollars, the same to be paid by the state treasurer on the warrant of the state auditor, which warrant shall issue upon filing itemized expense accounts from time to time, the same to be approved by the chairman of the committee.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted February 2, 1921.

11.

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[House Joint Resolution No. 13.]

## JOINT RESOLUTION

Relating to the inauguration of Honorable Warren G. Harding.

WHEREAS, On the fourth day of March, 1921, the Honorable Warren G. Harding will be inaugurated as President of the United States in the City of Washington, District of Columbia; and

WHEREAS, Said Warren G. Harding was a member of the seventy-fourth and seventy-fifth general assemblies of Ohio, and Lieutenant Governor of Ohio in 1904 to 1906; and

WHEREAS, It is fitting that the state of Ohio in its official capacity be represented at said inauguration of Honorable Warren G. Harding,

as President of the United States, on the fourth day of March, 1921, in the City of Washington; therefore

*Be it resolved by the General Assembly of the State of Ohio:*

That a committee of ten be appointed, consisting of the president of the senate, the speaker of the house of representatives, four members of the senate, to be selected by the president of the senate, and four members of the house of representatives, to be selected by the speaker of said house, to attend and represent the state of Ohio at said inauguration of Honorable Warren G. Harding as President of the United States.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Adopted February 24, 1921.

12.

[Amended Senate Joint Resolution No. 14.]

### JOINT RESOLUTION

Relative to printing additional copies of certain resolution.

*Be it resolved by the General Assembly of the State of Ohio:*

That five hundred additional copies of amended S. J. R. No. 9—Mr. Archer, be printed for the use of the members of the Senate and House of Representatives; also three hundred additional copies of H. B. No. 47—Mr. Wenner.

CLARENCE J. BROWN,

*President of the Senate.*

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Adopted February 23, 1921.

13.

[House Joint Resolution No. 15.]

### JOINT RESOLUTION

Relative to printing additional copies of House Bill No. 249—Mr. Dunn.

*Be it resolved by the General Assembly of the State of Ohio:*

That the clerk of the House of Representatives be authorized and directed to have printed two thousand additional copies of House Bill No. 249—Mr. Dunn.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Adopted March 10, 1921.

14.

[Amended Senate Joint Resolution No. 17.]

## JOINT RESOLUTION

Relative to amending an enrolled bill.

*Be it resolved by the Senate, the House of Representatives concurring:*

That the action of the president of the Senate and the speaker of the House of Representatives in signing the enrolled Amended Senate Bill No. 41 be rescinded and that the enrolled bill be referred back to the Enrollment committee and that in the re-enrollment of the bill the following amendments be made: Strike out all of section 1, section 2 and section 3 and insert in lieu thereof the following:

"SECTION 1. Upon all whiskey or other alcoholic liquor stored in bonded warehouses or other places or buildings shall be collected taxes at the rate current in the taxing districts in which such warehouse or warehouses or other places or buildings shall be situated for the year in which such state and local tax is to be paid and shall be assessed upon its true value in money. In determining the true value in money for taxation purposes of such whiskey or other alcoholic liquor so stored, the value placed thereon by the owner or his agent when declaring its value for shipment by express shall be prima facie evidence of its true value in money; and in cases where whiskey or other alcoholic liquor is not shipped by express and its value for such purpose not so declared then the true value in money for taxation purposes shall prima facie be the value last declared by an owner who has shipped similar whiskey or other alcoholic liquor by express from the same warehouse or other places or buildings. In case of removal from one bonded warehouse to another bonded warehouse either within or without the state, the value of such whiskey so removed shall be determined in the same way and shall be subjected to the tax as provided in this act. Delinquent taxes shall be assessable against such whiskey or other alcoholic liquor for the same period and in the same manner as provided for taxes against other property.

"SECTION 2. It shall be unlawful for the owner or owners of such warehouse or warehouses or other places or buildings where whiskey or other alcoholic liquor is stored to permit the removal or shipment of such whiskey or other alcoholic liquor therefrom until a tax receipt is presented showing the payment of all taxes.

"SECTION 3. Should necessity arise, the county commissioners may provide for the appointment of a resident deputy county treasurer and fix his compensation."

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted March 14, 1921.

[Senate Joint Resolution No. 19.]

## JOINT RESOLUTION

To authorize and direct a committee of the Ohio General Assembly to inspect portions of the Ohio canal system.

WHEREAS, There are certain sections of the abandoned Ohio canal between Circleville, Ohio, and Portsmouth, Ohio, which are located parallel to the Scioto river, and portions of the canal at or near Adams Mills in Coshocton county, and at Tuscarawas Dam in Tuscarawas county, and portions of the Miami and Erie canal as well as other canals of Ohio, having broken banks and dismantled wasteways, which are the cause of great damage to privately owned adjacent lands from time to time; and,

WHEREAS, Claims for damages arise, and protests from the owners of private lands, complaining of the neglect of the state in protecting their property from the dangerous condition incidental to the damaged canals, are made to state authorities from time to time; and,

WHEREAS, It is advisable and essential that a thorough investigation of such conditions be made in order to secure the proper data and information of the true conditions existing, in order to recommend such action as may be necessary in order to afford practical, efficient and economical relief, and to protect the interest of the state of Ohio, and also to investigate the feasibility and the practicability of stream legislation, by conserving the water, forestry, and kindred natural resources of the localities and communities in question; therefore,

*Be it resolved by the General Assembly of the State of Ohio, That* a committee of three on the part of the Senate, to be appointed by the president of the Senate and a committee of three on the part of the House, to be appointed by the speaker of the House, be authorized to make a thorough and systematic inspection of the sections of canal property and waterways in question, and to examine the lands, streams and terrain in general so as to furnish data sufficient for proper action by the General Assembly in formulating a practical policy in affording, if possible, a relief from the conditions complained of; and be it further

*Resolved, That* the committee be allowed its necessary and legitimate expenses in making such inspection and survey, to be paid from the fund now or hereafter to be appropriated for the expenses of legislative committees and that same shall be paid on vouchers issued by the auditor of state upon the filing of an itemized account by the chairman of said committee; and be it further

*Resolved, That* said committee be authorized and directed to make a detailed report of its findings and recommendations to the General Assembly at as early a date as is practicable.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted March 11, 1921.

[House Joint Resolution No. 11.]

## JOINT RESOLUTION

To provide for the appointment of a committee to investigate and report to the present General Assembly as to the practicability of purchasing a farm site for the state school for the deaf.

WHEREAS, A farm site for the state school for the deaf would be a better location for the school than its present location in the heart of the city; and

WHEREAS, The present buildings of the school could be used to house the over-crowded state departments, or sold for such an amount as would purchase a much larger and more desirable site elsewhere.

*Be it resolved by the General Assembly of the State of Ohio:*

That a committee of six, to consist of three members of the House to be named by the speaker of the House, and three members of the Senate to be named by the president of the Senate, be appointed to investigate and report to the present General Assembly as to the advisability and practicability of purchasing a farm site for the state school for the deaf, which shall be operated in connection with and by the pupils of such school as a part of such institution. The committee shall report both as to the practicability and desirability of such purchase and as to the expense likely to be incurred in making the purchase, both with and without the sale of the present site. The committee shall report to the present General Assembly in time so that proper steps may be taken to carry out its recommendations prior to adjournment.

C. C. CRABBE,

*Speaker pro tem of the House of Representatives.*

CLARENCE J. BROWN,

*President of the Senate.*

Adopted March 16, 1921.

17.

[House Joint Resolution No. 21.]

## JOINT RESOLUTION

Relative to the preparation and printing of Ohio Legislative History.

*Be it resolved by the General Assembly of the State of Ohio:*

That there is hereby authorized the preparation and printing in book form two thousand five hundred copies of "Ohio Legislative History" for the years 1921-1922 inclusive, in connection with the official history of the state administration for the same years;

The said publication to be printed, and engraved, bound and finished as nearly as possible to correspond with the preceding volume of said history. The completed manuscript for such volume No. 4 shall be delivered to the supervisor of public printing, who is hereby directed to have printed and bound as herein set forth and deliver to the secretary of state for distribution as follows:

Ten copies to the Ohio State Library; one copy to each of the different state libraries of the United States; one copy to every city circulating

library in the state of Ohio; one copy to every college and high school in Ohio; three copies to each member of the general assembly and one copy to each elective officer thereof; three copies to each department of the Ohio state government, except the executive office, which shall receive ten copies; ten copies to the supreme court of Ohio, and one copy to each accredited newspaper correspondent in the Eighty-fourth General Assembly;

*Be it further resolved*, That to defray the expense of the preparation of volume No. 4 of the "Ohio Legislative History" the appropriation and finance committees of the Senate and House of Representatives are hereby directed to appropriate the sum of forty-two hundred dollars, which sum shall be in full for the services of James K. Mercer, legislative historian and his assistants.

The amount named herein for the preparation of such volume shall be paid to the legislative historian in twelve pro rata installments, as the work progresses upon vouchers signed by the proper authority.

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

F. E. WHITTEMORE,

*President pro tem of the Senate.*

Adopted March 21, 1921.

18.

[Senate Joint Resolution No. 23.]

### JOINT RESOLUTION

Relative to recalling from governor.

*Be it resolved by the Senate*, the House of Representatives concurring:

That the Governor is hereby requested to return to the Senate for the purpose of amendment Senate Bill No. 40—Mr. Kryder—"To fix by law a standard for cream and to provide a penalty for the violation thereof."

CLARENCE J. BROWN,

*President of the Senate.*

RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Adopted March 30, 1921.

19.

[Senate Joint Resolution No. 20.]

### JOINT RESOLUTION

Relative to printing additional copies of Senate Bill No. 189—Mr. De Weese.

*Be it resolved by the General Assembly of the State of Ohio*:

That the clerk of the Senate be authorized and directed to have

printed five hundred additional copies of Senate Bill No. 189—Mr. De Weese.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted April 18, 1921.

20.

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[House Joint Resolution No. 16.]

### JOINT RESOLUTION

Relative to foreign immigration.

*Be it resolved by the Senate of the State of Ohio, the House of Representatives concurring therein, that*

WHEREAS, A large number of Europeans are planning to immigrate to America, many of whom, because of disease and immorality, would likely become a public menace; and

WHEREAS, Many of these people, according to the reports of officials of the bureau of immigration are anarchists, bolshevists, or enemies of all democratic government; and

WHEREAS, There are now living in the United States of America many aliens who are the avowed enemies of all government; and

WHEREAS, Due to the present industrial depression, there are millions of American working men unemployed with whom this great mass of immigrants would be brought into direct competition; therefore,

*Be it resolved by the Senate of the state of Ohio and the House of Representatives:*

That we respectfully request the congress of the United States of America to pass such laws as will prevent the aforesaid class of aliens from coming to this country; and

*Be it further resolved, That a copy of these resolutions properly attested and signed be sent to the president of the Senate and to the speaker of the House of Representatives of Congress.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 21, 1921.

21.

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[Senate Joint Resolution No. 24.]

### JOINT RESOLUTION

Memorializing congress to eliminate dual telephone service.

WHEREAS, The public interests demands the elimination of dual telephone service and the unification of the service of competing telephone companies; and

WHEREAS, Such unification of telephone service, in justice to the stockholders of the existing telephone companies, can only be secure by a consolidation of said competing companies or a purchase by one company of the other; and

WHEREAS, Such consolidation is now authorized by the laws of the state of Ohio, but there seems to be a doubt whether such consolidation or purchase is permissible under federal law; therefore,

*Be it enacted by the General Assembly of the State of Ohio:*

That the Congress of the United States be, and it is hereby requested to enact such laws, or amendments to existing law, as will permit competing telephone companies doing either an intra-state or inter-state telephone business to unify the service rendered by such companies either by a purchase and sale of the property of one company by the other, or by a consolidation or merger of said companies when the same is authorized by the laws of the state in which such properties are situated, and

*Be it further resolved,* That copies of this joint resolution be transmitted by the clerk of the Senate to the United States senators and members of congress representing the state of Ohio.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted April 25, 1921.

22.

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[Senate Joint Resolution No. 28.]

### JOINT RESOLUTION

Memorializing the president of the United States to take action relative to peonage conditions in the South.

WHEREAS, The entire country has been astounded by the revelation of peonage conditions in Jasper county, Georgia, which may be but indicative of a more wide-spread prevalence of such conditions; and

WHEREAS, Such conditions exist in violation of the thirteenth amendment of the federal constitution and the laws enacted by Congress pursuant thereto, and the federal government has undoubted authority to take any action it deems advisable with or without the cooperation of any state; therefore

*Be it resolved by the General Assembly of the State of Ohio:*

That the President of the United States be and he is hereby memorialized and requested to instruct the attorney general to conduct an investigation of peonage conditions in the South in violation of the federal constitution and laws, assist the state authorities in prosecutions when necessary or advisable, and to take any other legal action necessary to bring all violators of such laws to justice and stamp out all vestiges of the un-American condition of peonage.

*Be it further resolved,* That a copy of this resolution be forwarded



to the President of the United States and to each senator and representative from Ohio.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted April 25, 1921.

23.

[House Joint Resolution No. 32.]

### JOINT RESOLUTION

To provide for the continuation of the committee on Americanization, authorized under provision of House Joint Resolution No. 3, to August 15, 1921.

*Be it resolved by the General Assembly of the State of Ohio:*

That the joint legislative Americanization committee duly appointed in accordance with H. J. R. No. 3, be and is hereby authorized to continue Americanization work as provided in H. J. R. No. 3, until August 15, 1921.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 25, 1921.

24.

[House Joint Resolution No. 34.]

### JOINT RESOLUTION

Relating to certain amendments to be placed in a bill now in the process of enrollment.

*Be it resolved by the General Assembly of the State of Ohio:*

That the joint Enrollment committee be authorized and directed to make and have printed in S. B. No. 71, Mr. King, the following amendments to said bill:

In line 4 at the end thereof insert the words "or a designated officer or employe,"

In line 6, after the word "Governor" insert a comma and the following words "or a designated officer or employe,"

In line 7, strike out the words "auditor of state" and insert in lieu thereof "director of finance".

In line 8, after the period, insert the following "The approval of four members of the board evidenced by their signatures shall be necessary in all cases in which the board is authorized to act."

C. C. CRABBE,  
*Speaker pro tem of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 27, 1921.

25.

[House Joint Resolution No. 7.]

## JOINT RESOLUTION .

Relative to the prevention of lynching.

The General Assembly of Ohio hereby declares its interest in securing and preserving to all citizens of the United States the full enjoyment of the right contained in the constitutional guaranty that no person shall be deprived of his life without due process of law.

We recognize lynching as a flagrant invasion of this right. It disturbs the public peace, and entails national disgrace. It is a crime against law and order of such character as to be a menace to the stability of government.

The prevention of this crime is of such importance that it should claim the attention of the Congress of the United States to the end that a federal law be enacted which will afford protection to all citizens of all races in all sections of our country against this form of lawlessness which vents itself in the riot of the mob.

It is directed that a copy of this resolution be sent to each member of the Ohio delegation in Congress.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 28, 1921.

26.

[House Joint Resolution No. 27.]

## JOINT RESOLUTION

To provide for the appointment of a joint committee to investigate and suggest ways and means for properly housing the several offices, departments and bureaus of the state government.

WHEREAS, The capitol and other office buildings of the state of Ohio are no longer adequate to house the offices, departments and bureaus of the state government; and

WHEREAS, The state is paying large sums in rentals, aggregating many thousands of dollars; and

WHEREAS, Such rented quarters are inconveniently located and widely scattered and for that reason are a hindrance to the economical transaction of public business; now, therefore,

*Be it resolved by the General Assembly of the State of Ohio:*

That a joint committee of three members of the Senate be selected by the President of the Senate and three members of the House of Representatives to be selected by the Speaker thereof be, and it hereby is, authorized and directed to institute an investigation into the subject of and suggest ways and means for properly housing the several offices, departments and bureaus of the state government. The report of the

result of the deliberations of said committee shall be filed with the Governor and by him transmitted to the legislature at its next session.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*  
 27.

Adopted April 28, 1921.

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[House Joint Resolution No. 31.]

### JOINT RESOLUTION

Relative to the annual legislative reunion.

WHEREAS, The chamber of commerce of Put-in-Bay have through Representative Kirk, extended a cordial invitation to the members and officers of the Eighty-fourth General Assembly to hold their annual legislative reunion this year at Put-in-Bay; therefore

*Resolved by the General Assembly of Ohio:*

That we do accept such invitation, and that a committee of six, three on the part of the House and three on the part of the Senate, be appointed by the presiding officers, the chief clerk of each House shall be ex-officio members of such committee;

Such committee is hereby authorized to fix the date and make all necessary arrangements with the citizens of Put-in-Bay for holding such reunion.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 28, 1921.

28.

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[House Joint Resolution No. 35.]

### JOINT RESOLUTION

Relative to adjournment.

*Be it resolved,* That the Eighty-fourth General Assembly recess from Friday, April 29th, 1921, to meet Thursday, May 12th, at 10 o'clock a. m.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 29, 1921.

29.

[House Joint Resolution No. 37.]

## JOINT RESOLUTION

Providing for relieving the Marsh Foundation from payment of inheritance taxes to the state.

WHEREAS, The late George H. Marsh of Van Wert, Ohio, has by will provided that his entire estate valued at more than four million dollars be given to the Marsh Foundation created by such will, and the income from which is to be used for the erection and maintenance of an orphans' home and school to be located within the county of Van Wert, to which dependent orphans of the state may be admitted, maintained and educated free of charge, regardless of color, race or religion; and

WHEREAS, Such institution is of a purely charitable nature, and would be of great benefit to the state by relieving the state and its subdivisions of the financial obligations of caring for such orphans; and

WHEREAS, Some question has been raised as to the liability of such fund to the inheritance tax of the state, payment of which would greatly impair the usefulness and benefit thereof to the state; and,

WHEREAS, The states of New York, Illinois, and Louisiana have in view of the public nature of the bequest, by action of their legislative bodies, expressly waived any claims under the inheritance laws of such states on such portions of the estate located therein, and the city of Van Wert and the township of Ridge located within the county of Van Wert have likewise waived all claims to any part of any inheritance tax on the estate to which they might be entitled; therefore,

*Be it resolved by the General Assembly of the State of Ohio:*

That the state of Ohio hereby relinquishes and waives all right or claim to any inheritance tax upon the estate of the late George H. Marsh, so far as it relates to the establishment and creation of the Marsh Foundation, and the tax commission of Ohio is hereby authorized to waive and forego all actions for the collection of any such tax under authority of the inheritance tax law of Ohio.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*

Adopted April 29, 1921.

30.

[Re-Amended Senate Joint Resolution No. 9.]

## JOINT RESOLUTION

Proposing to amend section 7 of article XI of the constitution of the state of Ohio, relative to the apportionment for members of the General Assembly.

*Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring therein:*

That there shall be submitted to the electors of the state, in the manner prescribed by law, at the general election to be held on the first

Tuesday after the first Monday in November, 1921, a proposition to amend section 7 of article XI of the constitution of the state of Ohio, to read as follows:

Sec. 7. The state is hereby divided into twenty-six senatorial districts, as follows: The county of Hamilton shall constitute the first senatorial district; the counties of Butler, Clermont, Brown and Warren, the second; Montgomery, the third; Adams, Clinton, Highland, Scioto and Pike, the fourth; Clark, Champaign, Logan and Auglaize, the fifth; Preble, Darke, Miami and Shelby, the sixth; Allen, Van Wert, Paulding, Defiance, Mercer and Williams, the seventh; Henry, Fulton, Putnam, Hancock and Wood, the eighth; Pickaway, Ross, Fayette, Madison and Greene, the ninth; Fairfield, Hocking, Perry and Athens, the tenth; Franklin, the eleventh; Jackson, Vinton, Gallia, Meigs and Lawrence, the twelfth; Morgan, Guernsey, Monroe, Noble and Washington, the thirteenth; Belmont, Harrison and Jefferson, the fourteenth; Licking, Muskingum, Holmes and Coshocton, the fifteenth; Hardin, Marion, Union, Morrow, Delaware and Knox, the sixteenth; Medina, Lorain and Wayne, the seventeenth; Stark, the eighteenth; Carroll, Columbiana and Tuscarawas, the nineteenth; Mahoning, the twentieth; Summit, Geauga, Lake and Portage, the twenty-first; Ashtabula and Trumbull, the twenty-second; Cuyahoga, the twenty-third; Seneca, Wyandot, Crawford, Ashland and Richland, the twenty-fourth; Erie, Huron, Sandusky and Ottawa, the twenty-fifth; Lucas, the twenty-sixth.

*Be it further resolved,* That at such election herein provided for, for the submission of this amendment to the electors of the state, the same shall be placed on the official ballot in the manner prescribed by law and shall be designated as follows:

To amend section 7 of article XI of the constitution of Ohio for apportionment of members of the General Assembly—Yes.

To amend section 7 of article XI of the constitution of Ohio for apportionment of members of the General Assembly—No.

*And be it further resolved,* That the required publication of the said proposed amendment shall be made and the form of ballot to be used in said election for the submission thereof shall be prepared by the secretary of state in conformity with the above provisions. If a majority of the electors voting on said amendment shall be ascertained, according to law to have voted in favor thereof, the governor shall make proclamation thereof forthwith and this amendment shall take effect at the date of said proclamation.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted April 29, 1921.

[Senate Joint Resolution No. 18.]

## JOINT RESOLUTION

Relative to granting certain privileges to The Columbus Railway, Power & Light Company and other street and interurban railway companies.

WHEREAS, The state of Ohio is the owner of 660 feet of land abutting on Third street, known as the state house grounds, in the city of Columbus, Ohio; and

WHEREAS, The Columbus Railway, Power & Light Company is desirous of constructing along said street a double track railroad instead of and replacing the single track railroad now located thereon, said double track railroad to be for the use and accommodation of the said The Columbus Railway, Power & Light Company and other street and interurban railway companies; therefore,

*Be it resolved by the General Assembly of the State of Ohio*, That the consent of the state of Ohio in its own behalf be, and it is hereby given to The Columbus Railway, Power & Light Company, its successors and assigns, or any other street railway company or companies obtaining the consent of the council of the city of Columbus, Ohio, or complying with the ordinance hereinafter mentioned, to construct, operate and maintain a double track street railroad along and upon Third street in said city of Columbus, in front of the premises described in the preamble hereto, in compliance with the terms and conditions of the ordinance or ordinances, of the city of Columbus under which said railway or railways shall occupy said street.

*Be it resolved further*, That the governor be and he is hereby authorized and instructed to execute and deliver such papers or documents as may be necessary to carry into effect the purpose of, and grant under, this resolution.

CLARENCE J. BROWN,  
*President of the Senate.*  
RUPERT BEETHAM,

*Speaker of the House of Representatives.*

Adopted April 28, 1921.

32.

[Amended Senate Joint Resolution No. 21.]

## JOINT RESOLUTION

Memorializing the 67th Congress of the United States to enact legislation for the relief of the wounded and disabled of the World War.

WHEREAS, The conditions, incident to the hospitalization and rehabilitation of the wounded and disabled veterans of the World War, are such that they call for reform; and

WHEREAS, The primary obligation of a grateful Government such as the United States is to properly care for and rehabilitate those who were wounded and disabled in its service and who are still paying the price for their country; and

WHEREAS, In order to reform those conditions in conformity with that sacred obligation it is highly important that the Congress of the United States should enact the necessary measures; therefore

*Be it resolved by the General Assembly of the State of Ohio:*

That we respectfully petition the 67th Congress of the United States to enact the following legislation:

1. A bill physically consolidating and placing under one assistant secretary of a department, The Bureau of War Risk Insurance, the rehabilitation division of the federal board for vocational education and the United States public health service.

2. An appropriation sufficient to build and maintain enough hospitals to provide treatment of all cases resulting from the service in the World War and requiring hospitalization.

3. A bill to provide for the decentralization of the Bureau of War Risk Insurance by the establishment of regional offices.

4. A bill to grant vocational training with training pay to all disabled who have a disability of 10% or more or a vocational handicap.

5. A bill to retire on two-thirds pay temporary officers who were disabled in the service, placing them on a par with officers of the regular service.

*Be it further resolved,* That a copy of this resolution, duly authenticated, be transmitted by the secretary of state to the President of the United States, and to every member of the Sixty-seventh Congress of the United States from the state of Ohio.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted April 29, 1921.

33.

---

[Senate Joint Resolution No. 29.]

## JOINT RESOLUTION

Relating to the amending of Enrolled Amended Senate Bill No. 40.

*Be it resolved by the Senate, the House of Representatives concurring:*

That the action of the president of the Senate and the speaker of the House of Representatives in signing the enrolled bill, Amended Senate Bill No. 40, "To fix by law a standard for cream and to provide a penalty for violation thereof", be rescinded and that in the re-enrollment of the bill the following amendment be made:

Strike out all of section 3.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted April 28, 1921.

34.

[House Joint Resolution No. 26.]

## JOINT RESOLUTION

Proposing to amend article XII, section 1, of the constitution of the state of Ohio relative to levying a poll or per capita tax.

*Be it resolved by the General Assembly of the State of Ohio*, three-fifths of the members elected to each house concurring therein:

That there shall be submitted to the electors of the state for their approval, or rejection at the election to be held on the first Tuesday after the first Monday in November, 1921, a proposal to amend article XII, section 1 of the constitution of the state of Ohio, to read as follows:

## ARTICLE XII.

SECTION 1. The General Assembly may provide by law for the levying of a poll or per capita tax.

*Be it further resolved*, That at such election above referred to, this proposal shall be placed on the official ballot in the manner provided by law in such form as the secretary of state may designate.

If the votes for the proposal shall exceed those against it, this amendment shall take effect on the first day of January, 1922, and original section 1 of article XII of the constitution of the state of Ohio shall be repealed and annulled.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted May 13, 1921.

35.

[House Joint Resolution No. 38.]

## JOINT RESOLUTION

Relating to equalizing state employes' pay.

*Be it resolved by the General Assembly of the State of Ohio:*

That there be paid to the employes of the Senate and House of Representatives a sum of money equal and as now paid to other state employes as provided by Senate Bill No. 254 of the Eighty-third General Assembly, such additional amount to be paid for the period of time employed since the first day of the session, but not after June 30, 1921. In addition to the above amounts each Senate stenographer shall be paid an amount equivalent to that paid to stenographers of the House of Representatives, such compensation to date from the first day of the session. The additional compensation herein provided shall be paid from the same funds and in the same manner as the compensation of Senate and House employes have been heretofore paid.

CLARENCE J. BROWN,  
*President of the Senate.*

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*

Adopted May 14, 1921.

36.



[House Joint Resolution No. 42.]

## JOINT RESOLUTION

Relative to enrolling certain appropriation bills.

*Be it resolved by the General Assembly of Ohio:*

That the appropriation bills be enrolled other than provided by law and the law relating to the enrollment of bills is hereby suspended;

The emergency being the inability of the printer who has this grade of printing work being unable to do the same without great delay causing great expense and harmful delay; and

*Be it further resolved*, That this resolution be enrolled in typewriting.

RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 CLARENCE J. BROWN,  
*President of the Senate.*  
 37.

Adopted May 27, 1921.

[Senate Joint Resolution No. 36.]

## JOINT RESOLUTION

Relative to amending copy of enrolled Senate Bill No. 245.

WHEREAS, In the enrolled copy of Amended Senate Bill No. 245 there appears an error in said bill which, if not corrected, would tend to nullify the same. Therefore

*Be it resolved by the General Assembly of the State of Ohio:*

That the joint committee on enrollment is hereby authorized and directed to correct the enrolled copy of Amended Senate Bill No. 245 by changing the word "or" to "of". This word "or" appears in line 9 of section 13162-1 after the word "certificate".

CLARENCE J. BROWN,  
*President of the Senate.*  
 RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 38.

Adopted May 12, 1921.

[Senate Joint Resolution No. 37.]

## JOINT RESOLUTION

Relative to amending copy of enrolled Senate Bill No. 142.

WHEREAS, In the enrolled copy of Amended Senate Bill No. 142 there appears an error in said bill which, if not corrected, would tend to nullify sections 17 and 29 thereof; therefore

*Be it resolved by the General Assembly of the State of Ohio,* That the joint committee on enrollment is hereby authorized and directed to correct the enrolled copy of Amended Senate Bill No. 142 by changing the word "filed" to "filled" in line 263 and by changing the word "passes" to "cases" in line 358.

CLARENCE J. BROWN,  
*President of the Senate.*  
 RUPERT BEETHAM,  
*Speaker of the House of Representatives.*  
 39.

Adopted May 13, 1921.

[illegible]



Solo	4	March 8, November 15	February 14, April 1, September 12.
Seneca	3	January 3, September 12.	January 17, April 11, October 10.
Shelby	2	April 14, November 3.	January 3, April 4, October 3.
Stark	5	January 23, September 27.	January 10, May 2, September 3.
Summit	8	April 4, September 12.	January 3, April 4, July 5, October 3.
Trumbull	7	February 14, September 19.	January 3, April 18, September 19.
Tuscarawas	5	May 24, December 20.	January 3, April 4, September 12.
Union	3	January 3, September 12.	January 10, May 9, September 12.
Van Wert	3	February 1, October 11.	January 10, April 11, October 10.
Vinton	4	April 25, October 24.	February 7, May 23, October 17.
Warren	1	January 25, October 4.	January 3, April 4, October 10.
Washington	4	January 17, September 12.	January 3, May 3, September 4.
Wayne	5	May 2, October 17.	January 17, May 9, October 10.
Williams	6	May 2, October 17.	January 10, April 11, September 19.
Wood	6	January 3, September 12.	February 14, May 9, September 12.
Wyandot	3		
Portsmouth			
Tiffin			
Sidney			
Canton			
Alcon			
Warren			
New Philadelphia			
Marysville			
Van Wert			
McArthur			
Lebanon			
Marietta			
Wooster			
Bryan			
Bowling Green			
Upper Sandusky			

STATE OF OHIO,  
OFFICE OF THE SECRETARY OF STATE.

I, HARVEY C. SMITH, secretary of state of the state of Ohio, do hereby certify that the foregoing acts and joint resolutions were printed under and by the authority of the general assembly of said state, and that the same are true copies, copied from the original rolls on file in this office of the acts passed and the joint resolutions adopted by the Eighty-fourth General Assembly of the state of Ohio, at its regular session, which began January 3, 1921, and was prorogued by the Governor May 28, 1921, and held in the city of Columbus.

In testimony whereof, I have hereunto subscribed my name, and affixed my official seal, at Columbus, the 9th day of June, A. D. 1921.

(Seal)

HARVEY C. SMITH,  
*Secretary of State.*

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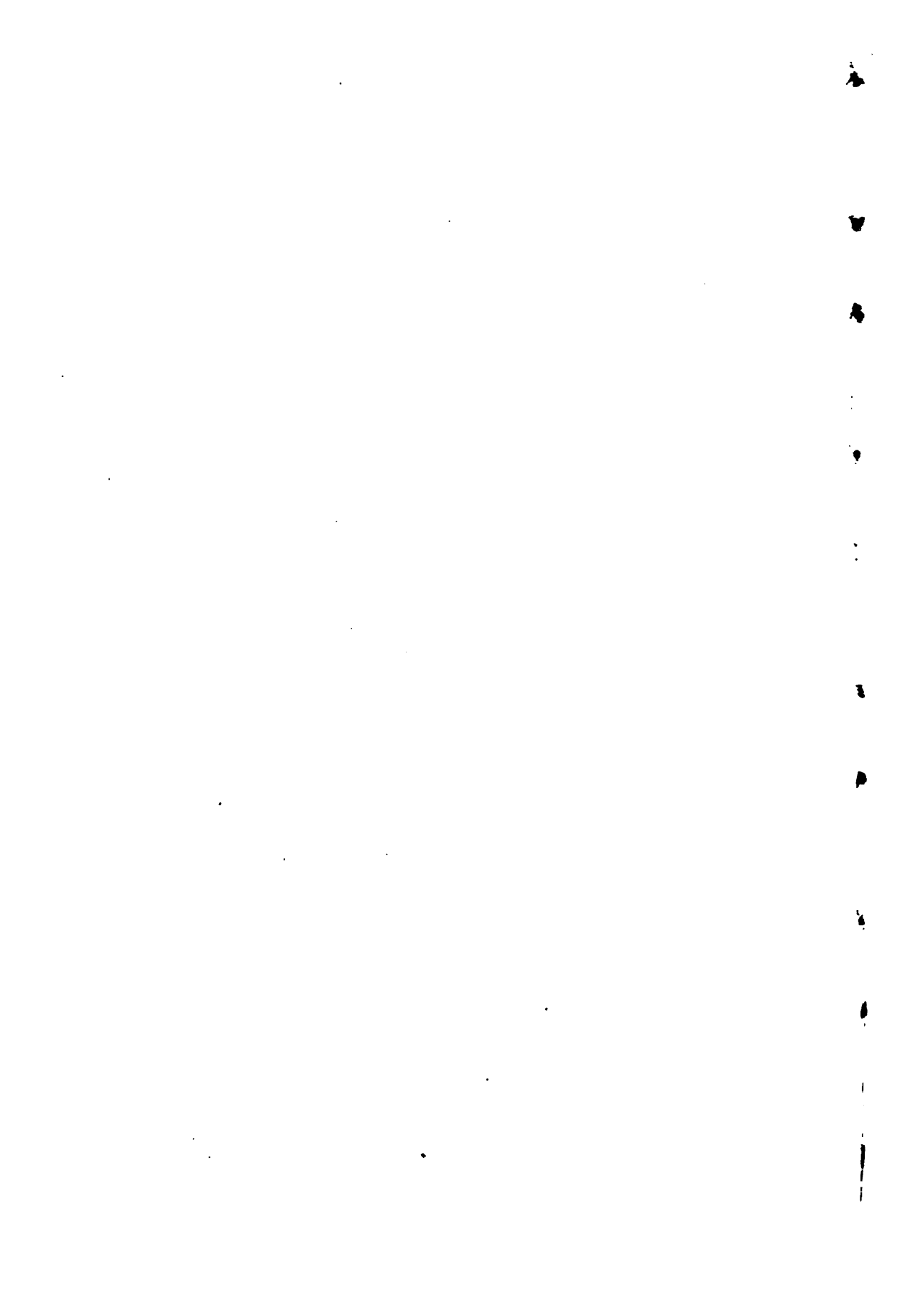












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